



California Regulatory Notice Register

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The *California Regulatory Notice Register* is an official state publication of the Office of Administrative Law containing notices of proposed regulatory actions by state regulatory agencies to adopt, amend or repeal regulations contained in the California Code of Regulations. The effective period of a notice of proposed regulatory action by a state agency in the *California Regulatory Notice Register* shall not exceed one year [Government Code § 11346.4(b)]. It is suggested, therefore, that issues of the *California Regulatory Notice Register* be retained for a minimum of 18 months.

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PROPOSED ACTION ON REGULATIONS

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TITLE 4. DEPARTMENT OF FOOD AND AGRICULTURE

NOTICE IS HEREBY GIVEN that the Department of Food and Agriculture (Department) proposes to repeal and adopt regulations contained in Title 4, Division 9, Chapter 1, Article 2.2. The technology for watthour meters has evolved to include electronic watthour meters. The existing watthour meter code does not recognize electronic watthour meters and will be repealed. The new code sections will address the specific differences between mechanical and electronic watthour meters and ensure existing installation standards and tariff rules are followed before a submeter can be placed into commercial use. The installation and tariff rules have been adopted by the California Public Utilities Commission (CPUC), the regulated serving utilities, and municipal utility districts to ensure safe installation of meters and ensure that regulated utility rates and billing requirements are followed by submeter system owners.

The Legislature has charged the Department with the responsibility of supervising weights and measures activities within California (Business and Professions Code, Division 5, Section 12100). The Secretary of the Department of Food and Agriculture is granted the authority to adopt such regulations as are reasonably necessary to carry out the provisions of the Business and Professions Code, Division 5, Section 12027. Section 12107 gives the Secretary the authority to establish tolerances and specifications for commercial weighing and measuring devices not included in the National Institute of Standards and Technology Handbook 44.

Requirements for watthour meters are not included in Handbook 44. Tolerances, specifications, and other requirements for mechanical watthour meters have previously been established in the California Code of Regulations, Title 4, Division 9, Chapter 1, Article 2.2., "Electric Watt-Hour Meters". Mechanical watthour meters have been used for measuring electricity since the early 1900s. Watthour meters are used in submeter applications in apartment complexes, marinas, mobile home communities, and other applications throughout California. The existing watthour meter code does not

address specific differences between mechanical and electronic watthour meters.

Existing user requirements do not have provisions to address numerous existing or future unsafe installations of meters and exposes regulatory officials and the public to hazards where there are no remediation requirements, enforcement provisions, or enforcement agencies. California's building codes currently exempt serving utilities from installation requirements and specifications and have not separately adopted requirements and specifications for privately owned submeter installations. The Department lacks authority and expertise to develop comprehensive building code standards. In CPUC Decision D 05-05-026 the Commission recognized this dilemma and required that any new installations conform to utility company standards (Pacific Gas and Electric Company Greenbook Section 8). The proposed regulation includes certification requirements that are intended to limit commercial use of additional inaccessible or unsafe installations of watthour submeters.

The Article will address the Applications, Definitions, Specifications, Notes, Tolerances, and User Requirements necessary for meter manufacturers, installers, users, weights and measures officials and the California Type Evaluation Program (CTEP) for mechanical and electronic watthour meters.

A public hearing is not currently scheduled. However, any interested person or duly authorized representative may request, no later than 15 days prior to the close of the written comment period, that a public hearing be scheduled.

Following the public hearing, if one is requested, or following the written comment period, if no public hearing is requested, the Department of Food and Agriculture, upon its own motion or at the instance of any interested person, may thereafter adopt the proposal substantially as set forth without further notice.

Notice is also given that any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Department of Food and Agriculture, Division of Measurement Standards, 6790 Florin Perkins Road, Suite 100, Sacramento, CA 95828-1812. Comments may also be submitted by facsimile (FAX) at (916) 229-3026 or by e-mail at DMS@cdfa.ca.gov. Comments must be submitted prior to 5:00 p.m. on July 7, 2008.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The Department of Food and Agriculture proposes to repeal Article 2.2, Electric Watt-Hour Meters and adopt a new Article 2.2, Electric Watthour Meters to

recognize electronic watthour meters and include mechanical watthour meters with appropriate tolerances and specifications based on:

California Code of Regulations, Title 4, Division 9, Chapter 1, Article 2.2. Electric Watt-Hour Meters

American National Standard for Electricity Metering, ANSI C12.1-2001

American National Standard for Electricity Metering, ANSI C12.10-1997

National Electrical Manufacturers Association, NEMA EI 21.1-1993

Handbook for Electricity Metering, ninth edition

SECTION 4027. A. APPLICATION.

This section is to specify that this code applies to the newer technology electronic watthour meters as well as to conventional mechanical type watthour meters. Specific section numbers are added to clarify the reference to General Code requirements. Additionally, clarification is provided to indicate when requirements apply only to electronic or mechanical watthour meters.

SECTION 4027.1. DEFINITIONS OF TERMS.

This section defines terms used in Article 2.2 that have special meaning as used in this code section. The definitions are necessary to provide officials, manufacturers, installers, users, and service agents with clear meanings of the terms that are used to describe specifications, testing procedures, tolerances, and user requirements.

SECTION 4027.2. S. SPECIFICATIONS.

This section is necessary to make clear and specific the specification requirements for meter manufacturers, service agents, and installers of electronic and mechanical watthour meters.

This section incorporates parts of the specification requirements existing in the current California Code of Regulations, Title 4, Division 9, Chapter 1, Article 2.2 Electric Watt-Hour Meters; the American National Standard Code for Electricity Metering, ANSI C12.1-2001 edition; American National Standard for Electricity Metering, ANSI C12.10-1997 edition for watthour meters; National Electrical Manufacturers Association, NEMA EI 21.1-1993 edition; and Handbook for Electricity Metering, ninth edition.

SECTION 4027.3. N. NOTES.

This section incorporates the testing notes existing in the current California Code of Regulations, Title 4, Division 9, Chapter 1, Article 2.2; the American National Standard Code for Electricity Metering, ANSI C12.1-2001 edition; American National Standard for Electricity Metering, ANSI C12.10-1997 edition for watthour meters; National Electrical Manufacturers

Association, NEMA EI 21.1-1993 edition; and Handbook for Electricity Metering, ninth edition. This section also defines, explains, and makes specific procedures applicable to meter tests. By defining tests and explaining the conditions of the test, manufacturers, service agents and officials can duplicate the testing for compliance requirements.

SECTION 4027.4. T. TOLERANCES.

This section incorporates the tolerance requirements existing in the current California Code of Regulations, Title 4, Division 9, Chapter 1, Article 2.2 Electric Watt-Hour Meters; the American National Standard Code for Electricity Metering, ANSI C12.1-2001 edition; and the American Standard for Electricity Metering, ANSI C12.10-1997 edition for watthour meters. It states the limits of inaccuracy permitted before the meter is required to be removed from service due to inaccuracies.

SECTION 4027.5. UR. USER REQUIREMENTS.

This section incorporates user requirements found in existing California Code of Regulations, Title 4, Division 9, Chapter 1, Article 2.2 Electric Watt-Hour Meters; the American National Standard Code for Electricity Metering ANSI C12.1-2001 edition; American National Standard for Electricity Metering, ANSI C12.10-1997 edition for watthour meters.

This section also incorporates certification requirements for new submeter installations to ensure submeters are safely installed, that the property can be legally submetered, and that the submeter system owner follows applicable tariff rules of the serving utility as approved by the California Public Utilities Commission.

These requirements provide for safe and accurate metering installations for installers, users, the public, and officials and ensure tenants are only charged at legal rates.

AUTHORITY AND REFERENCE

Pursuant to the authorization in Business and Professions Code Sections 12027 and 12107, the Department proposes regulations to implement, interpret, and make specific, the requirements of Section 12107.

LOCAL MANDATE

This proposal does not impose a mandate on local agencies or school districts.

FISCAL IMPACT ESTIMATES

This proposal does not impose costs on any local agency or school district for which reimbursement would be required pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code.

This proposal does not impose other nondiscretionary costs or savings on local agencies. This proposal does not result in any cost or savings in federal funding.

COST OR SAVINGS TO STATE AGENCIES

No additional costs or savings to state agencies are anticipated.

BUSINESS IMPACT/SMALL BUSINESS

The Department has made an initial determination that the proposed regulatory action will have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. This proposal does not affect small businesses as defined by section 11342.610. The determination that the proposal would not affect small business is based upon the fact that this regulation does not place new requirements or restrictions on business. It has no impact at all on any entity that is not a state agency as defined in section 11000 of the California Government Code.

ASSESSMENT REGARDING EFFECT ON JOBS/BUSINESS

The Department has determined that this regulatory proposal will not have any impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

COST IMPACTS ON REPRESENTATIVE PERSON OR BUSINESS

The Department is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

EFFECT ON HOUSING COSTS

None.

ALTERNATIVES

The Department must determine that no reasonable alternative considered would be more effective in carrying out the purpose for which the adoption of this reg-

ulation is proposed, or would be as effective and less burdensome to affected private persons than the proposed action.

CONTACT PERSONS

Inquiries concerning the proposed adoption of this regulation and written comments may be directed to Roger Macey, Branch Chief, Division of Measurement Standards at (916) 229-3043 or rmacey@cdfa.ca.gov. The back-up contact person is Ken Lake, Supervising Special Investigator, Division of Measurement Standards at (916) 229-3047 or klake@cdfa.ca.gov.

AVAILABILITY OF INITIAL STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Department has prepared an initial statement of reasons for the proposed action, has available all the information upon which the proposal is based, and has available the express terms of the proposed action. A copy of the statement of reasons, and the proposed regulations in strikeout and underline form may be obtained upon request. The rulemaking file, and all information on which the proposal is based, is located at the Division of Measurement Standards, 6790 Florin Perkins Road, Suite 100, Sacramento, CA 95828-1812, and may be obtained upon request. Additionally, all documents relating to this rulemaking file may be obtained from the Department's web site located at www.cdfa.ca.gov/dms.

Following the written comment period, the Department will adopt the proposal substantially as set forth above without further notice. If the regulations adopted by the Department differ from but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Any interested person may obtain a copy of said regulations prior to the date of adoption by contacting the agency officer named herein.

A Final Statement of Reasons, when available, may be obtained by contacting Roger Macey, Branch Chief, Division of Measurement Standards, at (916) 229-3043.

WEBSITE ACCESS

Materials regarding this proposal can be found at: www.cdfa.ca.gov/dms.

**TITLE 10. MANAGED RISK MEDICAL
INSURANCE BOARD**

**NOTICE OF PROPOSED RULEMAKING
ER-1-08**

**TITLE 10. INVESTMENT. CALIFORNIA
CODE OF REGULATIONS
CHAPTER 5.8. MANAGED RISK MEDICAL
INSURANCE BOARD
HEALTHY FAMILIES PROGRAM
AMEND SECTIONS 2699.6500 (r);
2699.6803; 2699; and 6805**

NATURE OF PROCEEDING

NOTICE IS HEREBY GIVEN that the Managed Risk Medical Insurance Board (MRMIB) is proposing to take the action described in the Informative Digest.

A public hearing regarding this proposal will be held on July 7, 2008 at 1:30 p.m., at 1000 G Street, 4th Floor, Suite 450, Front Conference Room, Sacramento, CA 95814.

Following the public hearing MRMIB may thereafter adopt the proposal substantially as described below or may modify the proposals if the modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written comments related to this proposal, or who provide oral testimony at the public hearing, or who have requested notification of any changes to the proposal.

Notice is also given that any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the

Managed Risk Medical Insurance Board
Attn: JoAnne French
1000 G Street, Suite 450
Sacramento, CA 95814

Comments may also be submitted by facsimile (FAX) at (916) 327-6580 or by e-mail to jfrench@mrrib.ca.gov. Comments must be submitted prior to 5:00 p.m. on July 7, 2008.

AUTHORITY AND REFERENCE

Pursuant to the authority vested by Section 12693.21 and 12693.755, Insurance Code; and Reference Sections: 12693.02, 12693.03, 12693.045, 12693.06, 12693.065, 12693.08, 12693.09, 12693.10, 12693.70, 12693.105, 12693.11, 12693.12, 12693.13, 12693.14, 12693.16, 12693.17, 12693.21, 12693.37, 12693.755, and 12693.91, Insurance Code. Amendment of Sections 2699.201; 2699.205; 2699.207; 2699.209; and 2699.400.

**INFORMATIVE DIGEST/POLICY STATEMENT
OVERVIEW**

In 1997, the Federal Government established the State Children's Health Insurance Program (SCHIP), by adding Title XXI to the Social Security Act. Pursuant to AB 1126 (Chapter 623, Statutes of 1997), California established a SCHIP insurance program called Healthy Families Program (HFP). The program is administered by the Managed Risk Medical Insurance Board (MRMIB). HFP is targeted to serve children whose family income, although low, is too high to qualify for the Title XIX Medicaid Program, called Medi-Cal in California. The structure of HFP is set out in Insurance Code Sections 12693, et seq. and Chapter 5.8, Title 10 of the California Code of Regulations.

AB 1126, Chapter 623, Statutes of 1997, contained provisions to ensure MRMIB provides each HFP applicant a choice of providers, including Traditional and Safety Net (T&SN) providers. The statute creating the CPP designation process provides: 1) stability for the T&SN providers who had historically provided services to children who would qualify for HFP when the program began; 2) continuity of care for newly enrolled HFP members; 3) inclusion of providers who share cultural and linguistic characteristics with the HFP population; and 4) incentive for plans to contract with a variety of providers to ensure subscribers' choice and access to services among providers. The statute provides MRMIB great discretion in determining which plan in each county had done the best job of including T&SN providers in its network and to designate that plan the Community Provider Plan (CPP) in any given county. (Insurance Code section 12693.42(d)). For plans with a CPP designation, MRMIB allows a discount per child on the monthly family contribution (premium). All plans are encouraged to compete for the CPP designation by expanding their T&SN networks. The regulations set forth the process of developing the T&SN lists and designating the CPP winner in each county.

In March 2008 MRMIB submitted proposed emergency regulations to the Office of Administrative Law (OAL). These regulations were approved effective

March 26, 2008. The emergency regulations modified the time frames for the designation of the CPP provider. This proposed rulemaking includes those emergency regulations as well as other technical changes that MRMIB is proposing to modify the CPP process that were not submitted as proposed emergency regulations. These combined proposed regulations will be noticed to the public and a public hearing will be held.

There are no comparable provisions of federal law related to this proposal.

LOCAL MANDATE

This proposal does not impose a mandate on local agencies or school districts.

FISCAL IMPACT ESTIMATES

This proposal does not impose a mandate on local agencies or school districts for which reimbursement would be required pursuant to Part 7 (commencing with Section 17500 of Division 4 of the Government Code). This proposal does not impose other nondiscretionary cost or savings on local agencies. This proposal does not result in any cost or savings in federal funding to the state.

COSTS OR SAVINGS TO STATE AGENCIES

There are no associated costs or savings to state agencies.

BUSINESS IMPACT/SMALL BUSINESS

MRMIB has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposal does not affect small businesses as defined by section 11342.610. The determination that the proposal would not affect small business is based upon the fact that the proposal makes technical procedural changes. The proposal has no impact at all on any entity that is not a state agency as defined in section 11000 of the California Government Code as the regulations only establish procedures.

ASSESSMENT REGARDING EFFECT ON JOBS/BUSINESSES

The MRMIB has determined that this regulatory proposal will not have any impact on the creation of jobs or

new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

COST IMPACTS ON REPRESENTATIVE PERSON OR BUSINESS

The MRMIB is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

EFFECT ON HOUSING COSTS

None

CONSIDERATION OF ALTERNATIVES

In accordance with section 11346.5(a)(13) of the Government Code, the Department must determine that no reasonable alternative considered or that has otherwise been identified and brought to the attention of the Department would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed regulatory action.

CONTACT PERSONS

Inquiries concerning the proposed adoption of this regulation and written comments may be directed to:

JoAnne French
Managed Risk Medical Insurance Board
1000 G Street, Suite 450
Sacramento, CA 95814
(916) 327-7978

or

Randi Turner
Managed Risk Medical Insurance Board
1000 G Street, Suite 450
Sacramento, CA 95814
(916) 327-8243

INITIAL STATEMENT OF REASONS

The MRMIB has prepared an initial statement of reasons for the proposed action and has available all the information upon which the proposal is based.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all of

the information upon which this proposal is based, may be obtained upon request from the Managed Risk Medical Insurance Board at 1000 G Street, Suite 450, Sacramento, CA 95814. These documents may also be viewed and downloaded from the MRMIB website at www.mrmib.ca.gov.

AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the person named above.

You may obtain a copy of the final statement of reasons once it has been prepared by making a written request to the contact person named above.

WEBSITE ACCESS

Materials regarding this proposal can be found at www.mrmib.ca.gov.

TITLE 13. DEPARTMENT OF MOTOR VEHICLES

NOTICE IS HEREBY GIVEN

The Department of Motor Vehicles (the department) proposes to amend Section 423.00, in Chapter 1, Division 1, Article 6, of Title 13 in the California Code of Regulations to identify the annual adjustment of specified fees for 2009.

PUBLIC HEARING

A public hearing regarding this proposed regulatory action is not scheduled. However, a public hearing will be held if any interested person or his or her duly authorized representative requests a public hearing to be held relevant to the proposed action by submitting a written request to the contact person identified in this notice no later than 5:00 p.m., fifteen (15) days prior to the close of the written comment period.

DEADLINE FOR WRITTEN COMMENTS

Any interested person or his or her duly authorized representative may submit written comments relevant

to the proposed regulations to the contact person identified in this notice. All written comments must be received at the department no later than 5:00 p.m. on *July 7, 2008*, the final day of the written comment period, in order for them to be considered by the department before it adopts the proposed regulations.

AUTHORITY AND REFERENCE

The department proposes to adopt the proposed action under the authority granted by Vehicle Code section 1651, in order to implement, interpret or make specific Vehicle Code sections 1678, 1685, 4604, 5014, 5036, 6700.25, 9102.5, 9250.8, 9252, 9254, 9258, 9261, 9265, 9702, 11515, 11515.2, 12814.5, 14902, 38121, 38225.4, 38225.5, 38232, 38255, 38260, 38265, Code of Civil Procedure section 488.385 and Revenue and Taxation Code section 10902.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Vehicle Code section 1678 has required the department to annually review and adjust a variety of department fees since January 1, 2005. The fees are to be adjusted in an amount equal to the increase in the California Consumer Price Index for the prior year as calculated by the Department of Finance. A fee would only be increased when the calculated amount equals or is greater than \$0.50, rounded to the next highest whole dollar.

The department proposes to amend Section 423.00 to identify the Vehicle Code sections that authorize each fee identified in Vehicle Code section 1678, the dates the fee increases are effective and the amount of each adjusted fee. These fees would become effective January 1, 2009.

DOCUMENTS INCORPORATED BY REFERENCE

There are no documents to be incorporated by reference.

FISCAL IMPACT STATEMENT

- Cost Or Savings To Any State Agency: None.
- Other Non-Discretionary Cost or Savings to Local Agencies: None.
- Costs or Savings in Federal Funding to the State: None.

- Cost Impact on Representative Private Persons or Businesses: The department is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. The department is required by statute to adjust specific fees by increasing each fee in an amount equal to the increase in the California Consumer Price Index for the prior year, as calculated by the Department of Finance. Thirty-seven (37) different fees are proposed to be increased by one dollar.
- Effect on Housing Costs: None.

DETERMINATIONS

The department has made the following initial determinations concerning the proposed regulatory action:

- The proposed regulatory action will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. No studies or data were relied upon in support of this proposal.
- The adoption of this regulatory action will neither create nor eliminate jobs or create businesses in the state of California, will not result in the elimination of existing businesses, and will not reduce or expand businesses currently doing business in the state of California.
- The proposed regulatory action will not impose a mandate on local agencies or school districts, or a mandate that requires reimbursement pursuant to part 7 (commencing with Section 17500) of Division 4 of the Government Code.
- The proposed regulatory action will affect small businesses because the proposed regulatory action identifies specific fees that will be increased based on the increase in the California Consumer Price Index for the prior year. This regulation proposes to increase by one dollar (\$1) thirty-seven (37) fees specified in statute.

PUBLIC DISCUSSIONS OF PROPOSED REGULATIONS

A pre-notice workshop, pursuant to Government Code section 11346.45, is not required because the issues addressed in the proposal are not so complex or large in number that they cannot be reviewed during the comment period.

ALTERNATIVES CONSIDERED

The department must determine that no reasonable alternative considered by the department or that has otherwise been identified and brought to the attention of the department would be more effective in carrying out the purpose for which the action is proposed, or would be as effective and less burdensome to affected private persons than the proposed action.

CONTACT PERSON

Inquiries relevant to the proposed action and questions on the substance of the proposed regulations should be directed to the department representative, Christie Patrick, Department of Motor Vehicles, P.O. Box 932382, Mail Station C-244, Sacramento, California 94232-3820; telephone number (916) 657-5567, or cpatrick@dmv.ca.gov. In the absence of the department representative, inquiries may be directed to the Regulations Coordinator, Maria Luisa G. Paman, at (916) 657-8746 or e-mail mpaman@dmv.ca.gov. The fax number for the Regulations Branch is (916) 657-1204.

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The department has prepared an initial statement of reasons for the proposed action, and has available all the information upon which the proposal is based. The contact person identified in this notice shall make available to the public upon request the express terms of the proposed action using underline or italics to indicate additions to, and strikeout to indicate deletions from, the California Code of Regulations. The contact person identified in this notice shall also make available to the public upon request the final statement of reasons once it has been prepared and submitted to the Office of Administrative Law, and the location of public records, including reports, documentation and other materials related to the proposed action. In addition, the above-cited materials (the Notice of Proposed Regulatory Action, the Initial Statement of Reasons and Express Terms) may be accessed at www.dmv.ca.gov/about/lad/regactions.htm.

AVAILABILITY OF MODIFIED TEXT

Following the written comment period, and the hearing if one is held, the department may adopt the proposed regulations substantially as described in this notice. If modifications are made which are sufficiently related to the originally proposed text, the fully modified text, with changes clearly indicated, shall be made available to the public for at least 15 days prior to the

date on which the department adopts the resulting regulations. Request for copies of any modified regulations should be addressed to the department contact person identified in this notice. The department will accept written comments on the modified regulations for 15 days after the date on which they are first made available to the public.

TITLE 14. BOARD OF FORESTRY AND FIRE PROTECTION

Board of Forestry and Fire Protection Title 14 of the California Code of Regulations

[Notice Published May 23, 2008]

NOTICE OF PROPOSED RULEMAKING

Emergency Notice for Fuel Hazard Reduction, 2008

**The Board proposes to adopt the following
sections of Title 14 of the California Code of
Regulations (14 CCR):**

Amend:

§1052.4 Emergency Notice for Fuel Hazard
Reduction

PUBLIC HEARING

The Board will hold a public hearing starting at 8:00 a.m., on Wednesday, July 9, 2008, at the Resources Building Auditorium, 1st Floor, and 1416 Ninth Street, Sacramento, California. At the hearing, any person may present statements or arguments, orally or in writing, relevant to the proposed action described in the *Informative Digest*. The Board requests, but does not require, that persons who make oral comments at the hearing also submit a summary of their statements. Additionally, pursuant to Government Code Section 11125.1, any information presented to the Board during the open hearing in connection with a matter subject to discussion or consideration becomes part of the public record. Such information shall be retained by the Board and shall be made available upon request.

WRITTEN COMMENT PERIOD

Any person, or authorized representative, may submit written comments relevant to the proposed regulatory action to the Board. The written comment period

ends at 5:00 p.m., Monday, July 7, 2008. The Board will consider only written comments received at the Board office by that time (in addition to those written comments received at the public hearing). The Board requests, but does not require, that persons who submit written comments to the Board reference the title of the rulemaking proposal in their comments to facilitate review.

Written comments shall be submitted to the following address:

Board of Forestry and Fire Protection
Attn: Christopher Zimny
Regulations Coordinator
P.O. Box 944246
Sacramento, CA 94244-2460

Written comments can also be hand delivered to the contact person listed in this notice at the following address:

Board of Forestry and Fire Protection
Room 1506-14
1416 9th Street
Sacramento, CA

Written comments may also be sent to the Board via facsimile at the following phone number:

(916) 653-0989

Written comments may also be delivered via e-mail at the following address:

board.public.comments@fire.ca.gov

AUTHORITY AND REFERENCE

Public Resources Code (PRC) 4551 authorizes the Board to adopt such rules and regulations as it determines are reasonably necessary to enable it to implement, interpret, or make specific sections 4513, 4514.3, 4551.5, 4551.7, 4552, 4553, 4562, 4582, 4584 and 4592 of the Public Resources Code.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The California State Board of Forestry and Fire Protection (Board) proposes amendments to regulations for timber harvest practices that reduce wildfire threat and hazardous fuel conditions in the State's private timberlands. The amendments proposed clarify fire hazard reduction treatment standards and eliminate redundant language for this section. Changes are generally non-substantive revisions.

Regulation Purpose and Necessity

The existing regulation has redundant language, an incorrectly used legal term, and has minor ambiguity re-

lated to fuel reduction standards. Correcting this language will improve clarity of use for those implementing the exemption and enforceability of the regulation by the California Department of Forestry and Fire Protection (CAL FIRE).

Specific Purpose of Regulation

The proposed amendments deletes redundant language related to protection of wildlife habitat and for requirements for retaining dominant and codominant trees following hazard reduction treatments; moves language related to meeting requirements of PRC 4291 to a separate subsection for clarity; and clarifies prescriptive fuel removal spacing standards.

DISCLOSURES REGARDING THE PROPOSED ACTION

The Board has determined the proposed action will have the following effects:

- Mandate on local agencies and school districts: None are known.
- Costs or savings to any State agency: None are known.
- Cost to any local agency or school district which must be reimbursed in accordance with the applicable Government Code (GC) sections commencing with GC 17500: None are known.
- Other non-discretionary cost or savings imposed upon local agencies: None are known.
- Cost or savings in federal funding to the State: None are known.
- Significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states: None are known.
- Potential cost impact on private persons or directly affected businesses: The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.
- Effect on small business: None. The Board has determined that the proposed amendments will not affect small business. Small businesses should benefit from the reduction in regulatory requirements resulting from filing of an Emergency Notice instead of a Timber Harvest Plan for conducting operations under this regulation.
- Significant effect on housing costs: None are known.
- Adoption of these regulations will not create or eliminate jobs within California.

- Adoption of these regulations will not: (1) create new businesses or eliminate existing businesses within California; or (2) affect the expansion of businesses currently doing business within California.

The proposed Rules do not conflict with, or duplicate Federal regulations.

BUSINESS REPORTING REQUIREMENT

The regulation does not require a report, which shall apply to businesses.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code 11346.5(a)(13), the Board must determine that no reasonable alternative it considers or that has otherwise been identified and brought to the attention of the Board would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

CONTACT PERSON

Requests for copies of the proposed text of the regulations, the *Initial Statement of Reasons*, modified text of the regulations and any questions regarding the substance of the proposed action may be directed to:

Board of Forestry and Fire Protection
Attn: Christopher Zimny
Regulations Coordinator
P.O. Box 944246
Sacramento, CA 94244-2460

Telephone: (916) 653-9418

The designated backup person in the event Mr. Zimny is not available is Doug Wickizer, Chief Environmental Protection and Regulation, Department of Forestry and Fire Protection, at the above address and phone number (916) 653-5602.

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Board has prepared an *Initial Statement of Reasons* providing an explanation of the purpose, background, and justification for the proposed regulations. The statement is available from the contact person on request.

When the *Final Statement of Reasons* has been prepared, the statement will be available from the contact person on request.

A copy of the express terms of the proposed action using UNDERLINE to indicate an addition to the Califor-

nia Code of Regulations and ~~STRIKETHROUGH~~ to indicate a deletion, is also available from the contact person named in this notice.

The Board will have the entire rulemaking file, including all information considered as a basis for this proposed regulation, available for public inspection and copying throughout the rulemaking process at its office at the above address. All of the above referenced information is also available on the CDF web site at:

http://www.fire.ca.gov/BOF/board/board_proposed_rule_packages.html

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After holding the hearing and considering all timely and relevant comments received, the Board may adopt the proposed regulations substantially as described in this notice. If the Board makes modifications which are sufficiently related to the originally proposed text, it will make the modified text—with the changes clearly indicated—available to the public for at least 15 days before the Board adopts the regulations as revised. Notice of the comment period on changed regulations, and the full text as modified, will be sent to any person who:

- a) testified at the hearings,
- b) submitted comments during the public comment period, including written and oral comments received at the public hearing, or
- c) requested notification of the availability of such changes from the Board of Forestry and Fire Protection.

Requests for copies of the modified text of the regulations may be directed to the contact person listed in this notice. The Board will accept written comments on the modified regulations for 15 days after the date on which they are made available.

TITLE 14. BOARD OF FORESTRY AND FIRE PROTECTION

Board of Forestry and Fire Protection Title 14 of the California Code of Regulations

[Notice Published May 23, 2008]

NOTICE OF PROPOSED RULEMAKING

Forest Fire Prevention Exemption, 2008

The Board of Forestry and Fire Protection (Board) proposes to amend and adopt the regulations of Title 14 of the California Code of Regulations (14 CCR) de-

scribed below after considering all comments, objections, and recommendations regarding the proposed action.

Amend 14 CCR § 1038(i) Exemption

PUBLIC HEARING

The Board will hold a public hearing starting at 8:00 a.m., on Wednesday, July 9, 2008, at the Resources Building Auditorium, 1st Floor, and 1416 Ninth Street, Sacramento, California. At the hearing, any person may present statements or arguments, orally or in writing, relevant to the proposed action described in the *Informative Digest*. The Board requests, but does not require, that persons who make oral comments at the hearing also submit a summary of their statements. Additionally, pursuant to Government Code 11125.1, any information presented to the Board during the open hearing in connection with a matter subject to discussion or consideration becomes part of the public record. Such information shall be retained by the Board and shall be made available upon request.

WRITTEN COMMENT PERIOD

Any person, or authorized representative, may submit written comments relevant to the proposed regulatory action to the Board. The written comment period ends at 5:00 p.m., Monday, July 7, 2008. The Board will consider only written comments received at the Board office by that time (in addition to those written comments received at the public hearing). The Board requests, but does not require, that persons who submit written comments to the Board reference the title of the rulemaking proposal in their comments to facilitate review.

Written comments shall be submitted to the following address:

Board of Forestry and Fire Protection
Attn: Christopher Zimny
Regulations Coordinator
P.O. Box 944246
Sacramento, CA 94244-2460

Written comments can also be hand delivered to the contact person listed in this notice at the following address:

Board of Forestry and Fire Protection
Room 1506-14
1416 9th Street
Sacramento, CA

Written comments may also be sent to the Board via facsimile at the following phone number:

(916) 653-0989

Written comments may also be delivered via e-mail at the following address:
board.public.comments@fire.ca.gov

AUTHORITY AND REFERENCE

Public Resources Code (PRC) 4551 and 4554.5 authorizes the Board to adopt such rules and regulations as it determines are reasonably necessary to enable it to implement, interpret or make specific sections 4512, 4513 and 4561 of the Public Resources Code. Reference: Public Resources Code sections 4513, 4551.5, 4561, 4584 and 21080.5.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The California State Board of Forestry and Fire Protection is promulgating a regulation to clarify fire hazard reduction treatment standards and eliminate redundant language for this section. Changes are generally non-substantial revisions. The Forest Fire Prevention Exemption exempts persons who conduct timber operations from preparing and submitting Timber Harvest Plans, completion reports, and stocking reports when harvesting trees and other commercial forest products for the purpose of reducing the rate of fire spread, fire duration and intensity, fuel ignitability, and ignition of tree crowns.

SPECIFIC PURPOSE OF THE REGULATION

The primary purpose of the existing regulation is to exempt persons who conduct timber operations from preparing and submitting Timber Harvest Plans when harvesting trees and other commercial forest products for the purpose of reducing the rate of fire spread, fire duration and intensity, fuel ignitability, and ignition of tree crowns. The proposed amendments deletes redundant language related to protection of wildlife habitat and for requirements for retaining dominant and codominant trees following hazard reduction treatments; moves language related to meeting requirements of PRC 4291 to a separate subsection for clarity; and clarifies prescriptive fuel removal spacing standards.

DISCLOSURES REGARDING THE PROPOSED ACTION

The Board has determined the proposed action will have the following effects:

- Mandate on local agencies and school districts: None are known.
- Costs or savings to any State agency: None are known.
- Cost to any local agency or school district which must be reimbursed in accordance with the applicable Government Code (GC) sections commencing with GC 17500: None are known.
- Other non-discretionary cost or savings imposed upon local agencies: None are known.
- Cost or savings in federal funding to the State: None are known.
- Significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states: None are known.
- Potential cost impact on private persons or directly affected businesses: The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.
- Effect on small business: None. The Board has determined that the proposed amendments will not affect small business. Small businesses should benefit from the reduction in regulatory requirements resulting from filing of an exemption instead of a Timber Harvest Plan for conducting operations under this regulation.
- Significant effect on housing costs: None are known.
- Adoption of these regulations will not create or eliminate jobs within California.
- Adoption of these regulations will not: (1) create new businesses or eliminate existing businesses within California; or (2) affect the expansion of businesses currently doing business within California.

The proposed Rules do not conflict with, or duplicate Federal regulations.

BUSINESS REPORTING REQUIREMENT

The regulation does not require a report, which shall apply to businesses.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code 11346.5(a)(13), the Board must determine that no reasonable alternative it considers or that has otherwise been identified and brought to the attention of the Board would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

CONTACT PERSON

Requests for copies of the proposed text of the regulations, the *Initial Statement of Reasons*, modified text of the regulations and any questions regarding the substance of the proposed action may be directed to:

Board of Forestry and Fire Protection
Attn: Christopher Zimny
Regulations Coordinator
P.O. Box 944246
Sacramento, CA 94244-2460
Telephone: (916) 653-9418

The designated backup person in the event Mr. Zimny is not available is Doug Wickizer, California Department of Forestry and Fire Protection, at the above address and phone (916) 653-5602.

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Board has prepared an *Initial Statement of Reasons* providing an explanation of the purpose, background, and justification for the proposed regulations. The statement is available from the contact person on request.

When the *Final Statement of Reasons* has been prepared, the statement will be available from the contact person on request.

A copy of the express terms of the proposed action using UNDERLINE to indicate an addition to the California Code of Regulations and ~~STRIKETHROUGH~~ to indicate a deletion, is also available from the contact person named in this notice.

The Board will have the entire rulemaking file, including all information considered as a basis for this proposed regulation, available for public inspection and copying throughout the rulemaking process at its office at the above address. All of the above referenced information is also available on the CDF web site at:

http://www.fire.ca.gov/BOF/board/board_proposed_rule_packages.html

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After holding the hearing and considering all timely and relevant comments received, the Board may adopt the proposed regulations substantially as described in this notice. If the Board makes modifications which are sufficiently related to the originally proposed text, it will make the modified text—with the changes clearly indicated—available to the public for at least 15 days before the Board adopts the regulations as revised. No-

tice of the comment period on changed regulations, and the full text as modified, will be sent to any person who:

- a) testified at the hearings,
- b) submitted comments during the public comment period, including written and oral comments received at the public hearing, or
- c) requested notification of the availability of such changes from the Board of Forestry and Fire Protection.

Requests for copies of the modified text of the regulations may be directed to the contact person listed in this notice. The Board will accept written comments on the modified regulations for 15 days after the date on which they are made available.

TITLE 14. FISH AND GAME COMMISSION

Notice of Proposed Changes in Regulations

NOTICE IS HEREBY GIVEN that the Fish and Game Commission (Commission), pursuant to the authority vested by sections 200, 202, 203, 203.1, 205, 206, 208, 215, 220, 240, 355, 3000, and 3270, of the Fish and Game Code and to implement, interpret or make specific sections 200, 202, 203, 203.1, 215, 220, 355, 356, 3000, 3270, 3500 and 4304 of said Code, proposes to amend Sections 300, Title 14, California Code of Regulations, relating to Fall Season for Wild Turkeys, Falcon Season for Upland Game Birds, Bag Limit for Eurasian Collared-doves.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

1. Fall season for Hunting Wild Turkeys (Addition of San Diego County)

Current regulations provide for a fall turkey hunting season statewide, except for San Diego County [Subsection 300(a)(1)(G)3.a., Subsection 300(a)(2)(G)3.a., and Subsection 300(a)(3)(G)3.a.]. The Department's annual "Game Take Hunter Survey" indicates wild turkey populations have increased in San Diego County. Harvest of turkeys in San Diego County during the spring season has increased from an estimated number of 460 in 2003 to nearly 1,000 in 2006 (most recent information available). It is reasonable to conclude that the population there will support a fall season. Also, adding San Diego County to the area where turkeys can be hunted in the fall will make this regulation consistent statewide.

2. Falconry Season for Upland Game Birds

Current regulations provide for a falconry season for pheasant, quail, chukar, blue and ruffed grouse, and

white-tailed ptarmigan that opens on October 1 [Subsection 300(a)(3)(A-E)(1)]. Falconers have requested that their season be changed to open at the same time as the archery season for quail, chukars, and blue and ruffed grouse (third Saturday in August). This would allow falconers a longer season, and allow them to train their hawks on young prey that the hawks would be more capable of catching. This would make it more likely that the birds would develop into successful hunters. The Department supports this proposal. The Department sells about 600 falconry licenses annually, and only a small portion of these falconers hunt upland game birds, so this regulation change would have no effect on upland game populations.

3. Bag Limit for Eurasian Collared-doves

Eurasian collared-doves have recently become established in California and their numbers are rapidly expanding, particularly in southern California. In 2007, the Commission designated them a resident small game species, and included them in the existing dove season and bag and possession limits [Subsection 300(b)(1)(B)(2)]. The Department is proposing to provide additional hunting opportunity by removing the bag limit on Spotted doves, Eurasian collared-doves and ringed turtle doves. Removing the bag limit, yet allowing hunting of these species of doves only within the existing dove season, would be consistent with the approach taken by some other states (for example Arkansas, Tennessee, and Mississippi). Other states (examples are Arizona, Texas, and Georgia) have taken a more liberal approach, and allow unlimited take all year; while others (examples are Oklahoma and Louisiana) are more conservative, and include Eurasian collared-doves in the dove limit and allow their take only during the existing dove season.

NOTICE IS GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in the Department of Education, State Board Room, 1430 N Street, Room 1101, Sacramento, California, on Friday, June 27, 2008 at 8:30 a.m., or as soon thereafter as the matter may be heard.

NOTICE IS ALSO GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in the City of Carpinteria, City Council Chambers, 5775 Carpinteria Avenue, Carpinteria, California, on Friday, August 8, 2008, at 8:30 a.m., or as soon thereafter as the matter may be heard. It is requested, but not required, that written comments be submitted on or before August 5, 2008 at the address given below, or by fax at (916) 653-5040, or by e-mail to FGC@fgc.ca.gov. **Written comments mailed, faxed or e-mailed to the Commission office, must be received before 5:00 p.m. on August 5, 2008.**

All comments must be received no later than August 8, 2008, at the hearing in Carpinteria, CA. If you would like copies of any modifications to this proposal, please include your name and mailing address.

The regulations as proposed in ~~strikeout~~-underline format, as well as an initial statement of reasons, including environmental considerations and all information upon which the proposal is based (rulemaking file), are on file and available for public review from the agency representative, John Carlson, Jr., Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, California 94244-2090, phone (916) 653-4899. Please direct requests for the above mentioned documents and inquiries concerning the regulatory process to John Carlson, Jr., or Jon Snellstrom at the preceding address or phone number. **Dr. Eric Loft, Chief Wildlife Branch, Department of Fish and Game, phone (916) 445-3406, and Assistant Chief Rob Allen, Enforcement Branch, Department of Fish and Game, phone (916) 653-4094, have been designated to respond to questions on the substance of the proposed regulations.** Copies of the Initial Statement of Reasons, including the regulatory language, may be obtained from the address above. Notice of the proposed action shall be posted on the Fish and Game Commission website at <http://www.fgc.ca.gov>.

Availability of Modified Text

If the regulations adopted by the Commission differ from but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency representative named herein.

If the regulatory proposal is adopted, the final statement of reasons may be obtained from the address above when it has been received from the agency program staff.

Impact of Regulatory Action

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

- (a) Significant Statewide Adverse Economic Impact Directly Affecting Businesses, Including the Ability of California Businesses to Compete with Businesses in Other States:

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed regulation change is

sufficiently minor that there would be no significant impact to businesses.

- (b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California:

None.

- (c) Cost Impacts on a Representative Private Person or Business:

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

- (d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:

None.

- (e) Nondiscretionary Costs/Savings to Local Agencies:

None.

- (f) Programs Mandated on Local Agencies or School Districts:

None.

- (g) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4:

None.

- (h) Effect on Housing Costs:

None.

Effect on Small Business

It has been determined that the adoption of these regulations may affect small business.

Consideration of Alternatives

The Commission must determine that no reasonable alternative considered by the Commission, or that has otherwise been identified and brought to the attention of the Commission, would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

TITLE 14. FISH AND GAME COMMISSION

Notice of Proposed Changes in Regulations

NOTICE IS HEREBY GIVEN that the Fish and Game Commission (Commission), pursuant to the authority vested by sections 202 and 355 of the Fish and Game Code and to implement, interpret or make specif-

ic sections 202, 355 and 356 of said Code and Part 10, subparts A and B, and Part 20, Title 50, CFR, amended Sept. 18, 1987, 52 Fed. Reg. 35248, proposes to amend Section 502, Title 14, California Code of Regulations, relating to waterfowl hunting.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Current regulations in Section 502, Title 14, California Code of Regulations (CCR), provide definitions, hunting zone descriptions, season opening and closing dates, and establish daily bag and possession limits. In addition to the four proposals contained herein, the U.S. Fish and Wildlife Service, after analysis of waterfowl population survey and other data, may also initiate changes in federal regulations that will require changes in existing and proposed regulations in California. Changes in federal regulations for season opening and closing dates, elimination or creation of special management areas, season length, and daily bag limits for migratory birds may occur. Items 1, 2 and 3 require changes in the federal regulations and must be approved by the Pacific Flyway Council at its meeting on July 25, 2008. Item 4 (including the table below) proposes a range of season dates and bag limits for waterfowl. The Service will consider these other recommendations at their meeting on July 30–31, 2008. At this time, the California Breeding Pair Survey has not been conducted and the Service has not established federal regulation “frameworks” which will occur in August after the analysis of current waterfowl population survey, other data, input from the Flyway Councils and the public. Also, minor editorial changes were made to clarify and simplify the regulations and to comply with existing federal frameworks.

The Department’s proposals are as follows:

1. **OPTION 1:** Increase the goose daily bag limit to 8 geese per day in the Northeastern, Southern San Joaquin Valley, Southern California, and Balance of State zones.

–OR–

OPTION 2: Increase the white goose daily bag limit to 6 per day in the Northeastern, Southern San Joaquin Valley, Southern California, and Balance of State zones which results in an increase in the overall goose daily bag limit in the Southern California Zone (all other zones already have a total bag limit of 6 geese per day).

2. Increase the brant daily bag limit to 4 per day in the Northern Brant and Balance of State Brant special management areas.

3. Reinstate the Imperial County Special Management Area, and provide for white goose hunting on private lands only during a late season.
4. Provide a range of waterfowl hunting season lengths (into two segments) between 38 and 107 days for all hunting methods. A range of daily bag limits is also given for ducks in all zones and geese

in the Northeastern California, Southern San Joaquin Valley, Southern California, and Balance of State zones. Also, federal regulations require that California's hunting regulations conform to those of Arizona in the Colorado River Zone. See the following table for season and bag limit ranges.

AREA	SPECIES	SEASONS	DAILY BAG & POSSESSION LIMITS
Statewide	Coots & Moorhens	Concurrent w/duck season	25/day. 25 in possession
Northeastern Zone <i>Season may be split for Ducks, Pintail, Canvasback and Scaup.</i>	Ducks	Between 38 & 105 days	4-7/day, no more than 3-7 mallards, no more than 1-2 hen mallards, 0-7 pintail, 0-2 canvasback, 2 redheads, 0-7 scaup. Possession limit double the daily bag.
	Pintail	Between 0 & 105 days	
	Canvasback	Between 0 & 105 days	
	Scaup	Between 0 and 105 days	
	Geese	86-100 days	4-8/ day, up to 4-6 white geese, up to 4 white-fronts, up to 2 Large Canada geese, only 1 Small Canada goose. Possession limit double the daily bag.
Southern San Joaquin Valley Zone <i>Season may be split for Ducks, Pintail, Canvasback and Scaup.</i>	Ducks	Between 38 & 100 days	4-7/day, no more than 3-7 mallards, no more than 1-2 hen mallards, 0-7 pintail, 0-2 canvasback, 2 redheads, 0-7 scaup. Possession limit double the daily bag.
	Pintail	Between 0 & 100 days	
	Canvasback	Between 0 & 100 days	
	Scaup	Between 0 & 100 days	
	Geese	86-100 days	4-8/ day, up to 4-6 white geese, up to 4 white-fronts, up to 4 Large Canada geese, up to 6 Small Canada geese. Possession limit double the daily bag.
Colorado River Zone	Ducks	Between 38 & 101 days	4-7/day, no more than 3-7 mallards, no more than 1-2 hen mallards or Mexican-like ducks, 0-7 pintail, 0-2 canvasback, 2 redheads, 0-7 scaup. Possession limit double the daily bag.
	Pintail	Between 0 & 101 days	
	Canvasback	Between 0 & 101 days	
	Scaup	Between 0 & 101 days	
	Geese	101 days	6/ day, up to 4 white geese, up to 3 dark geese. Possession limit double the daily bag.
Southern California Zone <i>Season may be split for Ducks, Pintail, Canvasback and Scaup.</i>	Ducks	Between 38 & 100 days	4-7/day, no more than 3-7 mallards, no more than 1-2 hen mallards, 0-7 pintail, 0-2 canvasback, 2 redheads, 0-7 scaup. Possession limit double the daily bag.
	Pintail	Between 0 & 100 days	
	Canvasback	Between 0 & 100 days	
	Scaup	Between 0 & 100 days	
	Geese	86-100 days	5-8/day, up to 4-6 white geese, up to 3 dark geese. Possession limit double the daily bag.
Balance of State Zone <i>Season may be split for Ducks, Pintail, Canvasback and Scaup.</i>	Ducks	Between 38 & 100 days	4-7/day, no more than 3-7 mallards, no more than 1-2 hen mallards, 0-7 pintail, 0-2 canvasback, 2 redheads, 0-7 scaup. Possession limit double the daily bag.
	Pintail	Between 0 & 100 days	
	Canvasback	Between 0 & 100 days	
	Scaup	Between 0 & 100 days	
	Geese	86-100 days	4-8/ day, up to 4-6 white geese, up to 4 white-fronts, up to 4 Large Canada geese, up to 6 Small Canada geese. Possession limit double the daily bag.
SPECIAL AREA	SPECIES	SEASON	DAILY BAG & POSSESSION LIMITS
North Coast	All Canada Geese	Between 0 & 107 days, except for Large Canada geese which can not exceed 100 days or extend beyond the last Sunday in January.	6/day, only 1 may be a Large Canada goose. Possession limit double the daily bag.
Humboldt Bay South Spit	All species	Closed during brant season	
Sacramento Valley (West)	White-fronted geese	Closed after Dec 14	2/day. Possession limit double the daily bag.
Morro Bay	All species	Open in designated areas only	
Martis Creek Lake	All species	Closed until Nov 16	
Northern Brant	Black Brant	Between 0 & 30 days, must end by Dec 15	2-4/day. Possession limit double the daily bag.
Balance of State Brant	Black Brant	Between 0 & 30 days, must end by Dec 15	2-4/day. Possession limit double the daily bag.
Imperial County	White Geese	Between 0 and 100 days	5-6/day. Possession limit double the daily bag.
YOUTH HUNTING DAYS	SPECIES	SEASON	DAILY BAG & POSSESSION LIMITS
Northeastern Zone	Same as regular season	The Saturday fourteen days before the opening of waterfowl season extending for 2 days.	Same as regular season
Southern San Joaquin Valley Zone		The Saturday following the closing of waterfowl season extending for 2 days.	
Southern California Zone		The Saturday following the closing of waterfowl season extending for 2 days.	
Colorado River Zone		The Saturday following the closing for waterfowl season.	
Balance of State Zone		The Saturday following the closing of waterfowl season extending for 2 days.	
FALCONRY OF DUCKS	SPECIES	SEASON	DAILY BAG & POSSESSION LIMITS
Northeastern Zone	Same as regular season	Between 38 and 105 days	3/ day, possession limit 6
Balance of State Zone		Between 38 and 107 days	
Southern San Joaquin Valley Zone		Between 38 and 107 days	
Southern California Zone		Between 38 and 107 days	
Colorado River Zone		Between 38 and 106 days	

NOTICE IS GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in the Department of Education, State Board Room, 1430 N Street, Room 1101, Sacramento, California, on Friday, June 27, 2008 at 8:30 a.m., or as soon thereafter as the matter may be heard.

NOTICE IS ALSO GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in the City of Carpinteria, City Council Chambers, 5775 Carpinteria Avenue, Carpinteria, California, on Friday, August 8, 2008, at 8:30 a.m., or as soon thereafter as the matter may be heard. It is requested, but not required, that written comments be submitted on or before August 5, 2008 at the address given below, or by fax at (916) 653-5040, or by e-mail to FGC@fgc.ca.gov. **Written comments mailed, faxed or e-mailed to the Commission office, must be received before 5:00 p.m. on August 5, 2008.** All comments must be received no later than August 8, 2008, at the hearing in Carpinteria, CA. If you would like copies of any modifications to this proposal, please include your name and mailing address.

The regulations as proposed in **strikeout—underline** format, as well as an initial statement of reasons, including environmental considerations and all information upon which the proposal is based (rulemaking file), are on file and available for public review from the agency representative, John Carlson, Jr., Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, California 94244-2090, phone (916) 653-4899. Please direct requests for the above mentioned documents and inquiries concerning the regulatory process to John Carlson, Jr., or Jon Snellstrom at the preceding address or phone number. **Dr. Eric Loft, Chief Wildlife Branch, Department of Fish and Game, phone (916) 445-3406, and Assistant Chief Rob Allen, Enforcement Branch, Department of Fish and Game, phone (916) 653-4094, have been designated to respond to questions on the substance of the proposed regulations.** Copies of the Initial Statement of Reasons, including the regulatory language, may be obtained from the address above. Notice of the proposed action shall be posted on the Fish and Game Commission website at <http://www.fgc.ca.gov>.

Availability of Modified Text

If the regulations adopted by the Commission differ from but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Circumstances beyond the control of the Commission (e.g., timing of Federal regulation adoption, timing of resource data collection, timelines do not allow, etc.) or changes made to be responsive to public recommendation and comments dur-

ing the regulatory process may preclude full compliance with the 15-day comment period, and the Commission will exercise its powers under Section 202 of the Fish and Game Code. Regulations adopted pursuant to this section are not subject to the time periods for adoption, amendment or repeal of regulations prescribed in Sections 11343.4, 11346.4 and 11346.8 of the Government Code. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency representative named herein.

If the regulatory proposal is adopted, the final statement of reasons may be obtained from the address above when it has been received from the agency program staff.

Impact of Regulatory Action

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

- (a) Significant Statewide Adverse Economic Impact Directly Affecting Business, Including the Ability of California Businesses to Compete with Businesses in Other States:

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed regulations are intended to provide additional recreational opportunity to the public. The response is expected to be minor in nature.

- (b) Impact on the Creation or Elimination of Jobs within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California: None.
- (c) Cost Impacts on a Representative Private Person or Business:
The Commission is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.
- (d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None.
- (e) Nondiscretionary Costs/Savings to Local Agencies: None.
- (f) Programs Mandated on Local Agencies or School Districts: None.
- (g) Costs imposed on any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4: None.

(h) Effect on Housing Costs: None.

Effect on Small Business

It has been determined that the adoption of these regulations may affect small business.

Consideration of Alternatives

The Commission must determine that no reasonable alternative considered by the Commission, or that has otherwise been identified and brought to the attention of the Commission, would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

TITLE 22. DEPARTMENT OF PUBLIC HEALTH

ACTION: Notice of Proposed Rulemaking
Title 22, California Code of Regulations

SUBJECT: Revised Drinking Water Standard for Arsenic, **DPH-04-017**

PUBLIC PROCEEDINGS

Notice is hereby given that the California Department of Public Health will conduct written public proceedings during which time any interested person or such person's duly authorized representative may present statements, arguments, or contentions (all of which are hereinafter referred to as comments) relevant to the action described in this notice.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

All suppliers of domestic water to the public are subject to regulations adopted by the U.S. Environmental Protection Agency (U.S. EPA) under the Safe Drinking Water Act (42 U.S.C. 300f et seq.) as well as by the California Department of Public Health (Department) under the California Safe Drinking Water Act [Sections 116270–116751 of the Health and Safety Code (H&S Code)]. Pursuant to California Public Health Act of 2006 (Act; S. B. 162, Section 1, Chap. 241, Stats. 2006, specifically H&S Code Sections 131050, 131051 and 131200), effective July 1, 2007, the California Department of Public Health has authority to adopt the subject regulations. California has been granted primacy for the enforcement of the Federal Act. In order to receive and maintain primacy, states must promulgate regulations that are no less stringent than the federal regulations.

In accordance with federal regulations, California requires public water systems to sample their sources and have the samples analyzed for inorganic and organic

substances in order to determine compliance with drinking water standards, including maximum contaminant levels (MCLs). Primary MCLs are based on health protection, technical feasibility, and costs. The water supplier must notify the Department and the public when a primary MCL has been violated and take appropriate action. In 1977, the Department adopted the then effective federal MCL of 0.050 mg/L (50 ppb) for arsenic.

On January 22, 2001, the U.S. EPA adopted a revised MCL of 0.01 mg/L for arsenic [Federal Register 66(14), 6976–7066], to be effective January 23, 2006; subsequently U.S. EPA postponed the regulation, but on April 17, 2002, confirmed a January 23, 2006, effective date for implementing the MCL [Federal Register 67(74), 19037, footnote 3 of Table III–2]. Later, U.S. EPA added a terminal “zero” to the MCL and clarified that the revised MCL for arsenic is 0.010 mg/L [Federal Register 68(57), 14501–14507, March 25, 2003]. Under federal primacy requirements, the State is required to adopt the 0.010 mg/L arsenic MCL or one more stringent.

Section 116361(b) of the California H&S Code mandates that the Department adopt a revised arsenic MCL, and Section 116365 of the California H & S Code requires that the Department set the MCL as close as possible to the public health goal (PHG), while considering cost and technical feasibility.

The California Environmental Protection Agency's Office of Environmental Health Hazard Assessment (OEHHA) finalized its PHG for arsenic in April 2004. OEHHA set the PHG at 0.004 µg/L (4 ppt). Subsequently, the Department conducted a comprehensive cost–benefit analysis to consider cost and feasibility, evaluating possible MCLs of 0.002, 0.004, 0.006, 0.008, and 0.010 mg/L. Based on that cost–benefit analysis, the Department is proposing to adopt an arsenic MCL in conformance with the federal MCL of 0.010 mg/L.

Therefore, to conform to the federal regulations, the Department proposes the following amendments to Chapter 15, Division 4, Title 22 of the California Code of Regulations:

- Amend Section 64431 (Maximum Contaminant Levels — Inorganic Chemicals) to adopt a revised arsenic MCL of 0.010 mg/L for conformance with the Code of Federal Regulations (CFR) 141.23 [Federal Register 66(14), 6976–7066];
- Amend Section 64432 (Monitoring and Compliance — Inorganic Chemicals), revising existing subsections (f) and (g) to establish compliance determination requirements in conformance with CFR 141.23(a) [Federal Register 66(14), 6976–7066];

- Amend Section 64447.2 [Best Available Technologies (BATs) — Inorganic Chemicals] by establishing two additional BATs for arsenic remediation (electrodialysis and oxidation/filtration);
- Amend Section 64445.1(c)(5) to clarify compliance determination requirements for organic contaminants in conformance with CFR 141.24(h)(11)(iv) and 141.24(f)(15)(iv) [Federal Register 66(14), 6976–7066];
- Amend Section 64482 to adopt additional health information in conformance with the CFR 141.154 [Federal Register 66(14), 6976–7066]. Additionally, subsection (d) would be repealed as it is no longer necessary.

In addition, the Department proposes to amend:

- Section 64413.1(b), to clarify the calculation of points for determining water treatment facility classifications.
- Section 64413.1(b)(4), Table 64413.1–E, to clarify that the points are assigned for each contaminant. In addition, paragraph (b)(5) would be revised to reflect the proposed renumbering of Section 64432.
- Section 64414, to include subsection (f), which identifies the monitoring procedures specific to a standby source having had previous perchlorate detections. In addition, paragraph (a) would be revised to reflect the proposed renumbering of Section 64432 and the inclusion of a reference to the asbestos waivers described in 64432.2(c), which had been inadvertently previously omitted.
- Section 64432, as follows:
 - Amend subsection (a) to reflect the renumbering of 64432 and the addition of proposed subsections (b) and (h);
 - Adopt subsection (b) to clarify when monitoring for newly adopted inorganic MCLs would be initiated. The existing regulations do not provide such information;
 - Amend existing subsection (f)(2), renumbered as (g)(2), to clarify existing confirmation sampling requirements;
 - Adopt subsection (h) to require that water supplier to discontinue use of the source if the source is confirmed to exceed ten times an inorganic chemical MCL, consistent with existing Section 64445.1(c)(7) for organic chemicals;
 - Amend existing subsection (g), renumbered as proposed subsection (i), to clarify the running annual average calculation when more than one sample is taken in a quarter;

- Existing subsections would be renumbered due to the addition of subsections (b) and (h); and

- Section 64432.2(a) and (b), Monitoring and Compliance — Asbestos, would be amended to revise the references to existing subsections in section 64432, which are proposed to be renumbered.
- Section 64432.8, to clarify that the confirmation sampling and exceedance procedures specified in existing sections 64432.1(a)(1), 64432.1(b)(1), 64432.1(c), and 64432.3(d) — for nitrate, nitrite, nitrate plus nitrite, and perchlorate, respectively — should be followed.
- Section 64433.3(d) would be revised to reflect the proposed renumbering of Section 64432.
- Section 64445.1(c)(5)(A) and (B) would be revised to reference existing Section 64469, as opposed to repealed Section 64451(a). Additionally, section 64445.1(c) would be revised to clarify existing requirements.

The net effects of the proposed regulations on community and nontransient–noncommunity water systems (CWS and NTNCWS) would be as follows:

- CWS and NTNCWS would be subject to a state arsenic MCL of 0.010 mg/L, instead of 0.05 mg/L. CWS and NTNCWS are currently required to comply with the federal MCL of 0.010 mg/L;
- CWS and NTNCWS would determine MCL compliance for all inorganic chemicals except nitrate, nitrite, perchlorate, and asbestos, on the basis of a running annual average of quarterly monitoring results instead of an average of a sample and its follow-up confirmation sample;
- CWS and NTNCWS that have a source exceeding ten times an inorganic chemical MCL would be required to discontinue use of the source until approved for use by the Department;
- CWS and NTNCWS that have annual arsenic averages exceeding 0.005 mg/L, but less than or equal to the proposed MCL of 0.010 mg/L, would have to provide specific health effects language in their Consumer Confidence Reports; and
- CWS and NTNCWS that need to treat sources to comply with the arsenic MCL would have two additional BATs from which to choose.

None of the proposed amendments would affect California’s primacy status, because the net effect of these amendments is conformance with the new federal regulations.

AUTHORITY

Sections 100275, 106910, 116293(b), 116350, 116365, 116375, 116385, 116410, 116415 and 131200, Health and Safety Code.

REFERENCE

Sections 106875, 106910, 116275, 116361, 116365, 116385, 116410, 116415, 116450, 116460, 116470, 116555, 131050 and 131051, Health and Safety Code.

COMMENTS

Any written comments pertaining to these regulations, regardless of the method of transmittal, must be received by the Office of Regulations and Hearings by 5 p.m. on July 11, 2008, which is hereby designated as the close of the written comment period. Comments received after this date will not be considered timely. Persons wishing to use the California Relay Service may do so at no cost. The telephone numbers for accessing this service are: 1-800-735-2929, if you have a TDD; or 1-800-735-2922, if you do not have a TDD. Written comments may be submitted as follows:

1. By mail or hand-delivered to the Office of Regulations and Hearings, California Department of Public Health, MS 0507, 1501 Capitol Avenue, P.O. Box 997377, Sacramento, CA 95899-7377. It is requested but not required that written comments sent by mail or hand-delivered be submitted in triplicate; or
2. By fax transmission: (916) 440-7714; or
3. By email to regulations@cdph.ca.gov (it is requested that email transmissions of comments, particularly those with attachments, contain the regulation package identifier "DPH -04-017" in the subject line to facilitate timely identification and review of the comment).

All comments, including email or fax transmissions, should include the author's name and U.S. Postal Service mailing address in order for the Department to provide copies of any notices for proposed changes to the regulation text on which additional comments may be solicited.

INQUIRIES

Inquiries regarding the substance of the proposed regulations described in this notice may be directed to Michael G. McKibben, P.E., Senior Engineer, Standards and Technology Unit, Drinking Water Program, at (619) 525-4023.

All other inquiries concerning the action described in this notice may be directed to Barbara Gallaway of the Office of Regulations and Hearings at (916) 440-7689, or to the designated backup contact person, Miyoko Sawamura, at (916) 440-7690.

CONTACTS

In any inquiries or written comments, please identify the action by using the Department regulation package identifier, DPH -04-017.

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF REGULATIONS

The Department has prepared and has available for public review an initial statement of reasons for the proposed regulations, all the information upon which the proposed regulations are based, and the text of the proposed regulations. The Office of Regulations and Hearings, at the address noted above, will be the location of public records, including reports, documentation, and other material related to the proposed regulations (rule-making file). In addition, a copy of the final statement of reasons (when prepared) will be available upon request from the Office of Regulations and Hearings.

Materials regarding the action described in this notice (including this public notice, the regulation text, and the initial statement of reasons) that are available via the Internet may be accessed at www.cdph.ca.gov by clicking on these links, in the following order: Decisions Pending and Opportunity for Public Participation, Regulations, Proposed.

In order to request a copy of this public notice, the regulation text, and the initial statement of reasons be mailed to you, please call (916) 440-7690 (or California Relay at 711/1-800-735-2929), or email regulations@cdph.ca.gov, or write to the Office of Regulations and Hearings at the address noted above. Upon specific request, these documents will be made available in Braille, large print, and audiocassette or computer disk.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

The full text of any regulation which is changed or modified from the express terms of the proposed action will be made available by the Department's Office of Regulations and Hearings at least 15 days prior to the date on which the Department adopts, amends, or repeals the resulting regulation.

FISCAL IMPACT ESTIMATE

- A. Fiscal Effect on Local Government: \$127.7 million annually that is not reimbursable by the State pursuant to Section 6 of Article XIII of the California Constitution and Sections 175000 et seq. of the Government Code because these regulations implement the Federal mandate contained in Federal Register 66(14), 6976–7066.
- B. Fiscal Effect on State Government: \$2.0 million annually, anticipated to be absorbable by State agencies within their existing budgets.
- C. Fiscal Effect on Federal Funding of State Programs: No fiscal impact exists because this regulation does not affect any federally funded State agency or program.
- D. All cost impacts, known to the Department at the time the notice of proposed action was submitted to the Office of Administrative Law, that a representative private person or business would necessarily incur in reasonable compliance with the proposed action: The regulation will not have a fiscal impact on private persons or businesses. The annual cost to privately owned water systems is \$52 million.
- E. Other Nondiscretionary Cost or Savings Imposed on Local Agencies: None.

DETERMINATIONS

The Department has determined that the regulations would not impose a mandate on local agencies or school districts, nor are there any costs for which reimbursement is required by Part 7 (commencing with Section 17500) of Division 4 of the Government Code.

However, if they were to incur costs, those costs would be of the following nature:

First, some local agencies would incur costs in their operation of public water systems. These costs would not be the result of a “new program or higher level of service” within the meaning of Article XIII B, Section 6 of the California Constitution because they apply generally to all individuals and entities that operate public water systems in California and do not impose unique requirements on local governments. Therefore, no state reimbursement of these costs would be required.

Second, some local agencies could incur additional costs in discharging their responsibility to enforce the new regulations for the small public water systems (under 200 service connections) that they regulate. However, the Department has determined that any increase in the local agency costs resulting from enforcing this regulation would be insignificant. Furthermore, local agencies are authorized to assess fees to pay reasonable expenses incurred in enforcing statutes and regulations related to small public water systems, H&S Code section 101325. Therefore, no reimbursement of any incidental costs to local agencies in enforcing this regulation would be required, Government Code section 17556(d).

The Department has made an initial determination that the regulations would not have a significant state-wide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

The Department has determined that the regulations would not significantly affect the following:

- (1) The creation or elimination of jobs within the State of California. The requirements summarized above should not have any affect in this area in that there would not be any change in water system or regulatory personnel needed for compliance with the proposed requirements.
- (2) The creation of new businesses or the elimination of existing businesses within the State of California. The nature of the water industry is such that the proposed regulation will not result in the creation or elimination of water systems. The impact of these regulations will be insignificant.
- (3) The expansion of business currently doing business within the State of California. Since water system size is basically a function of the number of service connections (consumers) served, the proposed regulations should not have any affect on expansion.

The Department has determined that the proposed regulations would not affect small business, since Government Code Chapter 3.5, Article 2, section 11342.610 excludes drinking water utilities from the definition of small business.

The Department has determined that the regulations will have no impact on housing costs.

The proposed regulations require water systems to report results of their water quality tests to the California Department of Public Health. It is necessary for the health, safety, or welfare of the people of the state that the reporting requirement applies to businesses.

ADDITIONAL STATEMENTS AND COMMENTS

In accordance with Government Code Section 11346.5(a)(13) the Department must determine that no reasonable alternative considered by the Department or that has otherwise been identified and brought to the attention of the Department would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

No hearing has been scheduled; however any interested person or his or her duly authorized representative may request in writing, no later than 15 days prior to the close of the written comment period, a public hearing pursuant to Government Code Section 11346.8.

For individuals with disabilities, the Department will provide assistive services such as sign-language interpretation, real-time captioning, note takers, reading or writing assistance, and conversion of public hearing materials into Braille, large print, audiocassette, or computer disk. To request such services or copies in an alternate format, please call or write: Barbara Gallaway, Office of Regulations and Hearings, MS 0507, P.O. BOX 997377, Sacramento, CA 95899-7377, voice (916) 440-7689 and/or California Relay 711/1-800-735-2929. Note: The range of assistive services available may be limited if requests are received less than ten business days prior to a public hearing.

TITLE 24. BUILDING STANDARDS COMMISSION

**NOTICE OF PROPOSED ACTION
TO
BUILDING STANDARDS
OF THE
CALIFORNIA DEPARTMENT OF
PUBLIC HEALTH (CDPH)**

**REGARDING AMENDMENT OF THE 2007
CALIFORNIA PLUMBING CODE
(CPC), DPH-08-006
FOR USE IN THE CALIFORNIA CODE OF
REGULATIONS (CCR), TITLE 24, PART 5**

Notice is hereby given that CDPH proposes to adopt changes to building standards contained in the CCR, Part 5, Title 24, for organized camps and retail food facilities.

PUBLIC COMMENT PERIOD

A public hearing has not been scheduled; however, written comments will be accepted from Friday, May 23, 2008, until 5:00 p.m. on Monday, July 7, 2008. Comments received after this date will not be considered timely. Please address your comments to:

California Department of Public Health
Office of Regulations and Hearings
1501 Capitol Ave., MS 0507
P.O. Box 997377
Sacramento, CA 95899-7377
Attention: Barbara Gallaway, NC III

Written Comments may also be faxed to (916) 440-7714 or E-mailed to regulations@cdph.ca.gov. It is requested that email transmission of comments, particularly those with attachments, contain the regulation package identifier "DPH-08-006" in the subject line to facilitate timely identification and review of the comment.

Pursuant to Government Code Section 11346.5(a)(17), any interested person or his or her duly authorized representative may request, no later than 15 days prior to the close of the written comment period that a public hearing be held.

**POST-HEARING MODIFICATIONS TO THE
TEXT OF THE REGULATIONS**

Following the public comment period, CDPH may adopt the proposed building standards substantially as proposed in this notice or with modifications that are sufficiently related to the original proposed text and notice of proposed changes. If modifications are made, the full text of the proposed modifications, clearly indicated, will be made available to the public for at least 15 days prior to the date on which CDPH adopts, amends, or repeals the regulations. CDPH will accept written comments on the modified building standards during the 15-day period.

NOTE: To be notified of any modifications, you must submit written comments or request that you be notified of any modifications. Any comments submitted including email or fax transmission, should include the author's name and U.S. Postal Service mailing address in order for CDPH to provide copies of any notices for proposed changes to the regulation text on which additional comments may be solicited.

AUTHORITY AND REFERENCE

The California Department of Public Health proposes to adopt these building standards under the au-

thority granted by Health and Safety Code Sections (H&SC) 18897.2, 113707, and 131200. The purpose of these building standards is to implement, interpret, and make specific the provisions of H&SC Section 18897.2, 18897.4, 18897.7, 113705, 113707 and 131200.

INFORMATIVE DIGEST

Summary of Existing Laws

Health and Safety Code Section 18897.2. Authorizes the director of Health Services to adopt rules and regulations establishing minimum standards for organized camps.

Health and Safety Code Section 18897.4. Every local health officer shall enforce within his jurisdiction the building standards published in the State Building Standards Code relating to organized camps and other rules and regulations adopted by the State Director of Health Services.

Health and Safety Code Section 18897.7. No organized camp shall be operated in this state unless each site or location in which the camp operates complies with the State Building Standards Code and with other rules and regulations adopted by the State Director of Health Services and State Fire Marshal. Violation constitutes a misdemeanor.

Health and Safety Code Section 113705. The legislature finds and declares that public health interest requires that there be uniform statewide health and sanitation standards for retail food facilities.

Health and Safety Code Section 113707. The department shall adopt regulations to implement retail food safety.

Health and Safety Code Section 131052. State Department of Public Health shall succeed to and be vested with all the duties powers, purposes, functions, responsibilities, and jurisdiction of the former State Department of Health Services as they relate to public health, including the duties described in Sections 18897.2, 18897.4, 18897.1, 113705, and 113707.

Health and Safety Code Section 131200. The department may adopt and enforce regulations for the execution of its duties.

Summary of Existing Regulations

The existing 2007 California Plumbing Code is a part of the California Code of Regulations, Title 24, also referred to as the California Building Standards Code and incorporates, by adoption, by the California Building Standards Commission, the 2006 Uniform Plumbing Code of the International Association of Plumbing and Mechanical Officials. Currently, CDPH does not adopt

model code standards for PEX water supply piping for applications under its authority.

Summary of Effect

The proposed action would amend Part 5 of Title 24 (2007 California Plumbing Code) by repealing amendments contained in Sections 604.1 and 604.11, which prescribe CDPH's non-adoption of model plumbing code provisions regulating the use of PEX water supply piping. CDPH proposes to adopt CPC Sections 604.1, 604.11, 604.11.1, and 604.11.2 regarding the use of PEX in potable water supply systems.

Comparable Federal Statute or Regulations

There are no comparable federal statutes or regulations related to the proposed action by the California Building Standards Commission.

Policy Statement Overview

The broad objective of the proposed action is to repeal building regulations, in conformance with current state law, and adopt model code standards for applications within the agency's authority.

OTHER MATTERS PRESCRIBED BY STATUTE APPLICABLE TO THE AGENCY OR TO ANY SPECIFIC REGULATION OR CLASS OF REGULATIONS

The California Department of Public Health has determined that there are no other matters prescribed by statute applicable to the agency or to any specific regulation or class of regulations.

MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS

The California Department of Public Health has determined that the proposed regulatory action would not impose a mandate on local agencies or school districts.

ESTIMATE OF COST OR SAVINGS

- A. Cost or Savings to any state agency: **None**
- B. Cost to any local agency required to be reimbursed under Part 7(commencing with Section 17500) of Division 4: **None**
- C. Cost to any school district required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **None**
- D. Other nondiscretionary cost or savings imposed on local agencies: **None**
- E. Cost or savings in federal funding to the state: **None**

INITIAL DETERMINATION OF NO SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESSES

The California Department of Public Health has made an initial determination that the amendment of these regulations will not have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with business in other states.

DECLARATION OF EVIDENCE

No facts, evidence, testimony or other evidence has been relied upon to support the initial determination of no effect.

FINDING OF NECESSITY FOR THE PUBLIC'S HEALTH, SAFETY, OR WELFARE

The California Department of Public Health has made an assessment of the proposed code changes and has determined that these changes do not require a report.

COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS

The agency [California Department of Public Health] is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

EFFECT ON SMALL BUSINESS

The California Department of Public Health has determined that the proposed regulations would affect small business.

ASSESSMENT OF EFFECT OF REGULATIONS UPON JOBS AND BUSINESS EXPANSION, ELIMINATION OR CREATION

The California Department of Public Health has assessed whether or not and to what extent this proposal will affect the following:

- ☐ **The creation or elimination of jobs within the State of California.**
These regulations will not affect the creation of or elimination of jobs within the State of California.

- ☐ **The creation of new businesses or the elimination of existing businesses within the State of California.**

These regulations will not affect the creation of or the elimination of existing business within the State of California.

- ☐ **The expansion of businesses currently doing business with the State of California.**

These regulations will not affect the expansion of businesses currently doing business within the State of California

INITIAL DETERMINATION OF SIGNIFICANT EFFECT ON HOUSING COSTS

The California Department of Public Health has made an initial determination that this proposal would not have a significant effect on housing costs.

CONSIDERATION OF ALTERNATIVES

The California Department of Public Health must determine that no reasonable alternative considered by the state agency or that has otherwise been identified and brought to the attention of the agency would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

AVAILABILITY OF RULEMAKING DOCUMENTS

All of the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public review, by contacting Jane Taylor, Senior Architect. See contact information below.

Materials regarding the action described in this notice (including this public notice, the regulation text, and the initial statement of reasons) that are available via the Internet may be accessed at www.cdph.ca.gov by clicking on these links, in the following order: Decisions Pending and Opportunity for Public Participation, Regulations, Proposed.

Interested parties may obtain a copy of the final statement of reasons once it has been prepared, by making a written request Jane Taylor, Senior Architect. See contact information below.

**CBSC CONTACT PERSON FOR PROCEDURAL
AND ADMINISTRATIVE QUESTIONS**

General questions regarding procedural and administrative issues should be addressed to:

Jane Taylor, Senior Architect
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833
jane.taylor@dgs.ca.gov
Telephone No: (916) 263-0916
Facsimile No: (916) 263-0959

**PROPOSING STATE AGENCY CONTACT
PERSON FOR SUBSTANTIVE AND/OR
TECHNICAL QUESTIONS ON THE
PROPOSED CHANGES TO
BUILDING STANDARDS**

Specific questions regarding the substantive and/or technical aspects of the proposed changes to the building standards should be addressed to:

Glenn Takeoka, Chief
Environmental Health Services Section
California Department of Public Health
Glenn.Takeoka@cdph.ca.gov
(916) 449-5693
FAX (916) 449-5665

ASSISTIVE SERVICES

Persons wishing to use the California Relay Service may do so at no cost. The telephone numbers for accessing this service are: 1-800-735-2929, if you have a TDD; or 1-800-735-2922, if you do not have a TDD.

Upon specific request to Jane Taylor, Senior Architect, this public notice and information upon which the proposed regulations are based will be made available in Braille, large print and audiocassette or computer disk.

DISAPPROVAL DECISION

**DECISIONS OF DISAPPROVAL OF
REGULATORY ACTIONS**

Printed below are the summaries of Office of Administrative Law disapproval decisions. Disapproval decisions are available at www.oal.ca.gov. You may also request a copy of a decision by contacting the Office of Administrative Law, 300 Capitol Mall, Suite 1250, Sac-

ramento, CA 95814-4339, (916) 323-6225 — FAX (916) 323-6826. Please request by OAL file number.

**STATE MINING AND GEOLOGY
BOARD**

State of California
Office of Administrative Law

In re:

State Mining and Geology Board

Regulatory Action: Title 14
California Code of Regulations

Adopt sections: 3506.1, 3506.2, 3506.3, 3506.4,
3506.5, 3506.6, 3506.7, 3506.8,
3506.9, 3506.10, 3506.11, 3506.12,
3506.13, 3506.14, 3506.15, 3506.16

**DECISION OF DISAPPROVAL OF
REGULATORY ACTION**

Government Code Section 11349.3

OAL File No. 2008-0319-02S

SUMMARY OF REGULATORY ACTION

The State Mining and Geology Board ("Board") proposed changes to title 14 to establish the procedure for a public proceeding to be used by the Board when acting as the lead agency and determining whether a right to conduct mining on real property preceded zoning or another land use restriction when such use does not conform. Such rights are known as vested mining rights. On March 19, 2008, the proposed regulations were submitted to the Office of Administrative Law ("OAL") for review in accordance with the Administrative Procedure Act ("APA") and on May 1, 2008, OAL disapproved the regulations. This Decision of Disapproval explains the reasons for OAL's action.

Date: May 8, 2008

David D. Potter
Senior Staff Counsel

For: SUSAN LAPSLEY
Director

Original: Stephen Testa, Executive Officer
Copy: Russell Hildreth, DAJ

SUMMARY OF REGULATORY ACTIONS

REGULATIONS FILED WITH SECRETARY OF STATE

This Summary of Regulatory Actions lists regulations filed with the Secretary of State on the dates indicated. Copies of the regulations may be obtained by contacting the agency or from the Secretary of State, Archives, 1020 O Street, Sacramento, CA 95814, (916) 653-7715. Please have the agency name and the date filed (see below) when making a request.

File# 2008-0409-03

BOARD OF EDUCATION

Criteria and Standards for School District Budgets

These regulations concern Criteria and Standards for School District Budgets and Interim Reports. The standards and criteria are exempt from the Administrative Procedure Act pursuant to Education Code section 33131 and are submitted for filing with the Secretary of State and printing only.

Title 5

California Code of Regulations

AMEND: 15440, 15441, 15442, 15443, 15444, 15445, 15446, 15447, 15448, 15449, 15450, 15451, 15452, 15453, 15454, 15455, 15456, 15457, 15458, 15459, 15460, 15461, 15462, 15463, 15464, 15467, 15468, 15469, 15471, 15471.1, 15471.2, 15472, 15473, 15474, 15475, 15476, 15477, 15478, 15479, 15479.5, 15480, 15481, 15483, 15484, 15485, 15486, 15487, 15488, 15489, 15490, 15493

Filed 05/13/2008

Effective 06/12/2008

Agency Contact: Connie Diaz (916) 319-0860

File# 2008-0403-03

BUREAU OF AUTOMOTIVE REPAIR

Deletion of Bureau of Automotive Repair Principal Office Address

The Bureau of Automotive Repair (Bureau) is repealing section 3300, title 16, California Code of Regulations, entitled "Location of Office." This particular address is not used by the public for the general operations of the Bureau.

Title 16

California Code of Regulations

REPEAL: 3300

Filed 05/08/2008

Effective 05/08/2008

Agency Contact: Virginia Vu (916) 255-2135

File# 2008-0409-04

CALIFORNIA AFRICAN AMERICAN MUSEUM
Conflict-of-Interest Code

This is a Conflict of Interest Code filing that has been approved by the Fair Political Practices Commission and is being submitted for filing with the Secretary of State and printing only.

Title 2

California Code of Regulations

ADOPT: 59620

Filed 05/13/2008

Effective 06/12/2008

Agency Contact: Debra Harris (213) 744-7538

File# 2008-0505-01

DEPARTMENT OF FISH AND GAME

Recreational Fishing for Federal Groundfish and Associated Species

This emergency regulatory action decreases the allowable fishing depth from 30 fathoms to 20 fathoms in Northern California for recreational fishing for all species of federal groundfish and associated species.

Title 14

California Code of Regulations

AMEND: 27.20, 27.25, 27.30, 28.26, 28.27, 28.28, 28.29, 28.48, 28.49, 28.51, 28.52, 28.53, 28.54, 28.55, 28.56, 28.57, 28.58

Filed 05/09/2008

Effective 05/09/2008

Agency Contact:

Deb Wilson-Vandenberg (831) 649-2892

File# 2008-0505-03

DEPARTMENT OF FOOD AND AGRICULTURE

Light Brown Apple Moth Interior Quarantine

This emergency amendment expands the existing regulated quarantine areas of Solano, Santa Clara, San Mateo and Contra Costa counties with respect to the light brown apple moth (LBAM; *Epiphyas postvittana*) pursuant to the finding of additional pests and the quarantine protocol.

Title 3

California Code of Regulations

AMEND: 3434(b)

Filed 05/07/2008

Effective 05/07/2008

Agency Contact: Stephen Brown (916) 654-1017

File# 2008-0501-03

DEPARTMENT OF TOXIC SUBSTANCES
CONTROL

Authorized Treatment of Electronic Hazardous Wastes

This is the second readopt of three prior regulatory actions (OAL file nos. 2004-0526-01E,

2004–1216–03E, 2005–0401–21E [the first readopt of these three files compiled them all into one emergency file: 2006–0524–02EE]) dealing with the authorized treatment of universal waste electronic devices and notification requirements for manufacturers of covered electronic devices under the Electronic Waste Recycling Act of 2003. This action is a statutory emergency and the emergency regulations shall remain in effect for two years or until revised by the Department, whichever comes sooner, under the provisions of Health and Safety Code section 25214.10.2.

Title 22

California Code of Regulations

ADOPT: 66260.201 AMEND: 66260.10, 66261.9, 66273.1, 66273.3, 66273.6, 66273.8, 66273.9, 66273.12, 66273.13, 66273.14, 66273.20, 66273.32, 66273.33, 66273.34, 66273.40, 66273.51, 66273.53, 66273.56, 66273.82, 66273.83, 66273.90, Appendix X to Chapter 11

Filed 05/08/2008

Effective 05/08/2008

Agency Contact: Laura Hayashi (916) 322–6409

File# 2008–0411–01

FAIR POLITICAL PRACTICES COMMISSION

Reporting Independent Expenditures by Eligible 501(c)(3)/501(c)(4) orgs.

This certificate of compliance makes permanent the prior FPPC emergency regulatory action (OAL file no. 2007–1214–04FPPE) that adopted an event-based reporting alternative for an eligible 501(c)(4) organization that makes occasional independent expenditures from its general treasury to support or oppose a ballot measure in California. The certificate of compliance includes some modifications to the regulation, including adding eligible 501(c)(3) organizations.

Title 2

California Code of Regulations

ADOPT: 18413

Filed 05/14/2008

Agency Contact:

Virginia Latteri–Lopez (916) 324–3854

File# 2008–0409–08

MEDICAL BOARD OF CALIFORNIA

Oral and Written Arguments

In regulations governing physician discipline proceedings, this rulemaking action adds a provision which authorizes the presiding administrative law judge (who facilitates oral arguments presented to the Division panel) or any member of the Panel to ask a party to support its oral argument with a specific cita-

tion to the administrative record. It requires that if a respondent (physician) elects to address the Panel directly, he/she shall be put under oath by the administrative law judge. The rulemaking also adopts a new regulation on written briefs which requires that each point made must be stated and summarized by a separate heading and must cite to authority (if applicable), and it requires that any reference to a matter in the record must give the volume and page number or exhibit number.

Title 16

California Code of Regulations

ADOPT: 1364.32 AMEND: 1364.30

Filed 05/07/2008

Effective 06/06/2008

Agency Contact:

Kevin A. Schunke (916) 263–2368

File# 2008–0409–06

PHYSICIAN ASSISTANT COMMITTEE

Disciplinary Guidelines

This regulatory action revises the Manual of Disciplinary Guidelines and Model Disciplinary Orders for use in disciplinary actions concerning licensed physician assistants.

Title 16

California Code of Regulations

AMEND: 1399.523

Filed 05/12/2008

Effective 06/11/2008

Agency Contact:

Glenn L. Mitchell (916) 263–2670x20

File# 2008–0401–01

STATE WATER RESOURCES CONTROL BOARD

BPA to control diazinon and chlorpyrifos runoff into the Sacramento & Feather Rivers

On May 3, 2007, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) adopted Resolution No. R5–2007–0034 amending the Water Quality Control Plan for the Central Valley Region (Basin Plan). This Basin Plan amendment includes revisions to the diazinon water quality objectives and new chlorpyrifos water quality objectives for discharges into the Sacramento and Feather Rivers, including the components of a Total Maximum Daily Load (loading capacity and load and wasteload allocations). The amendment also revises the program of implementation and compliance schedule, the surveillance and monitoring programs. On February 19, 2008, the State Water Resources Control Board approved this amendment under Resolution No. 2008–0013.

Title 23
California Code of Regulations
AMEND: 3947
Filed 05/12/2008
Agency Contact: Mitchell Goode (916) 341-5726

File# 2008-0401-02
STATE WATER RESOURCES CONTROL BOARD
Site-Specific Objectives for Copper in San Francisco Bay

On June 13, 2007, the San Francisco Bay Regional Water Quality Control Board adopted Resolution No. R2-2007-0042 to amend the Water Quality Control Plan for the San Francisco Bay Region (Basin Plan). This Basin Plan amendment includes site specific copper water quality objectives and an implementation strategy to assure attainment of the objectives. On January 15, 2008, the State Water Resources Control Board approved this amendment under Resolution No. 2008-0005. Needs OAL and USEPA approval in order to become effective.

Title 23
California Code of Regulations
ADOPT: 3919.3
Filed 05/13/2008
Agency Contact: Nirmal Sandhar (916) 341-5571

File# 2008-0401-03
STATE WATER RESOURCES CONTROL BOARD
SSO's for select waterbodies in the Los Angeles Region

On June 7, 2007, the Los Angeles Regional Water Quality Control Board (Los Angeles Water Board) adopted R4-2007-005 amending the Water Quality Control Plan for the Los Angeles Region (Basin Plan). This Basin Plan amendment establishes site-specific water quality objectives for ammonia in the Santa Clara River, Los Angeles River, and San Gabriel River watersheds. The amendment incorporates site-specific 30-day average ammonia objectives and corresponding site-specific early life stage implementation provisions to replace the previously applicable regional 30-day average objective for the affected water body reaches. This amendment will not change the regional one-hour average ammonia objective for these water bodies. On January 15, 2008, the State Water Resources Control Board approved this amendment under Resolution No. 2008-0004.

Title 23
California Code of Regulations
AMEND: 3939.22
Filed 05/12/2008
Agency Contact: Nirmal Sandhar (916) 341-5571

**CCR CHANGES FILED
WITH THE SECRETARY OF STATE
WITHIN DECEMBER 12, 2007 TO
MAY 14, 2008**

All regulatory actions filed by OAL during this period are listed below by California Code of Regulations titles, then by date filed with the Secretary of State, with the Manual of Policies and Procedures changes adopted by the Department of Social Services listed last. For further information on a particular file, contact the person listed in the Summary of Regulatory Actions section of the Notice Register published on the first Friday more than nine days after the date filed.

Title 1

04/24/08 AMEND: Appendix A
02/25/08 ADOPT: 48, 50, 52 AMEND: 55
01/29/08 AMEND: 1, 6, 90, and Appendix A (Std. Form 400)

Title 2

05/14/08 ADOPT: 18413
05/13/08 ADOPT: 59620
05/06/08 AMEND: 43000, 43001, 43002, 43003, 43004, 43005, 43006, 43007, 43008, 43009
04/30/08 AMEND: 1859.2, 1859.61, 1859.81, 1859.82, 1859.83, 1859.202, 1866, Form SAB 50-04 (Rev. 01/08)
04/29/08 ADOPT: 1859.190, 1859.191, 1859.192, 1859.193, 1859.193.1, 1859.194, 1859.195, 1859.196, 1859.197, 1859.198, 1859.199 AMEND: 1859.2, 1859.51, 1859.81, Form SAB 50-04 (Revised 01/08), Form SAB 50-05 (Revised 01/08), Form SAB 50-10 (Revised 01/08)
04/24/08 ADOPT: 1183.081, 1183.131, 1183.30, 1183.31, 1183.32 AMEND: 1181.1, 1181.2, 1181.3, 1183, 1183.01, 1183.04, 1183.08, 1183.11, 1183.13, 1183.14, 1183.3, 1188.3
04/10/08 AMEND: 1866, 1866.4.3, 1866.13, Form SAB 40-22 (Rev. 10/07)
04/09/08 AMEND: 18997
03/28/08 ADOPT: 59630
03/24/08 AMEND: 18735
03/19/08 AMEND: 55300
03/19/08 AMEND: 549.90
03/19/08 AMEND: 18200
03/03/08 AMEND: 1859.76, 1859.83, 1859.104.3
02/25/08 AMEND: 549.80
02/25/08 AMEND: 714
01/07/08 AMEND: 1859.2, 1859.43, 1859.50, 1859.51, 1859.81, 1859.106
01/07/08 AMEND: 18531.61

01/03/08 ADOPT: 547.69, 547.70, 547.71
 AMEND: 547.69 renumbered as 547.72,
 547.70 renumbered as 547.74, 547.71
 renumbered as 547.73
 12/26/07 AMEND: div. 8, ch. 54, sec. 54300
 12/19/07 ADOPT: 18413
 12/18/07 ADOPT: 1859.324.1, 1859.330
 AMEND: 1859.302, 1859.318,
 1859.320, 1859.321, 1859.322,
 1859.323, 1859.323.1, 1859.323.2,
 1859.324, 1859.326, 1859.328, 1859.329
 12/17/07 AMEND: 58700
 12/17/07 AMEND: 18351
 12/13/07 ADOPT: 18531.2
 12/13/07 AMEND: 18530.4
 12/13/07 AMEND: 18421.2

Title 3

05/07/08 AMEND: 3434(b)
 05/05/08 AMEND: 3406(b)
 05/02/08 AMEND: 3417(b)
 05/02/08 AMEND: 3434
 04/30/08 AMEND: 3591.20
 04/23/08 AMEND: 6550
 04/21/08 AMEND: 3700
 04/18/08 AMEND: 3434(b)
 04/16/08 AMEND: 3434(b) & (c)
 04/15/08 AMEND: 3433(b)
 04/08/08 AMEND: 3434(b)
 04/02/08 AMEND: 3433(b)
 04/02/08 AMEND: 3433(b)
 04/01/08 ADOPT: 821, 821.1, 821.2, 821.3, 821.4,
 821.5 REPEAL: 784, 784.1, 784.2, 800,
 800.1, 801, 802
 03/26/08 AMEND: 3434(b)
 03/21/08 AMEND: 3434(b)
 03/19/08 AMEND: 6620
 03/17/08 AMEND: 3434(b)
 03/17/08 AMEND: 3406(b)
 03/17/08 AMEND: 3700(c)
 03/13/08 AMEND: 6860
 03/12/08 AMEND: 3434(b)
 03/12/08 AMEND: 3406(b)
 03/05/08 AMEND: 3875
 03/04/08 AMEND: 3867
 03/03/08 AMEND: 3591.20
 02/22/08 AMEND: 3434(b)
 02/21/08 AMEND: 6393
 02/11/08 AMEND: 3434(b)
 02/08/08 AMEND: 3591.20
 02/04/08 AMEND: 3434(b)
 01/29/08 AMEND: 3700(c)
 01/28/08 AMEND: 3433(b)
 01/28/08 AMEND: 4500

01/25/08 ADOPT: 6445, 6445.5, 6448, 6448.1,
 6449, 6449.1, 6450, 6450.1, 6450.2,
 6451, 6451.1, 6452, 6452.1, 6452.2,
 6452.3(a), 6452.3(b), 6452.3(c),
 6452.3(d), 6452.3(e), 6452.3(f), 6452.4,
 6536(a), 6536(b)(1-3), 6536(b)(4)
 AMEND: 6000, 6400, 6450, 6450.1,
 6450.2, 6450.3, 6452, 6453, 6502, 6624,
 6626, 6784
 01/24/08 AMEND: 1391, 1391.1
 01/22/08 AMEND: 3591.6
 01/22/08 AMEND: 3591.6
 01/22/08 AMEND: 3591.2(a)
 01/22/08 AMEND: 3591.5(a)
 01/18/08 AMEND: 3423(b)
 01/18/08 ADOPT: 3152
 01/11/08 AMEND: 3406(b)
 01/10/08 AMEND: 3433(b)
 01/07/08 AMEND: 1180.3.1
 12/26/07 AMEND: 3433(b)
 12/26/07 AMEND: 3963
 12/21/07 AMEND: 3434(b)
 12/20/07 ADOPT: 606
 12/19/07 AMEND: 3700(c)
 12/19/07 AMEND: 3433(b)

Title 4

05/01/08 AMEND: 1844
 04/08/08 AMEND: 1467
 03/24/08 AMEND: 10177, 10178, 10181, 10182,
 10187, 10188, 10189
 02/29/08 ADOPT: 8102, 8102.1, 8102.2, 8102.3,
 8102.4, 8102.5, 8102.6, 8102.7, 8102.8,
 8102.9, 8102.10, 8102.11, 8102.12,
 8102.13, 8102.14, 8102.15 AMEND:
 8090, 8091, 8092, 8093, 8094, 8095,
 8096, 8097, 8098, 8099, 8100, 8101
 01/22/08 AMEND: 8070, 8072, 8073
 01/10/08 AMEND: 1632
 12/26/07 AMEND: 12002, 12122, 12202,
 12203.2, 12222

Title 5

05/13/08 AMEND: 15440, 15441, 15442, 15443,
 15444, 15445, 15446, 15447, 15448,
 15449, 15450, 15451, 15452, 15453,
 15454, 15455, 15456, 15457, 15458,
 15459, 15460, 15461, 15462, 15463,
 15464, 15467, 15468, 15469, 15471,
 15471.1, 15471.2, 15472, 15473, 15474,
 15475, 15476, 15477, 15478, 15479,
 15479.5, 15480, 15481, 15483, 15484,
 15485, 15486, 15487, 15488, 15489,
 15490, 15493

05/05/08	ADOPT: 11315.5 and 11315.6 AMEND: 11315	2395.44, 2395.45, 2395.57, 2395.58, 2405.1, 2405.2; Article 16, Sections 2420.3; Article 45; Sections 2480.6, 2480.7, 2484.24, 2500.7, 2500.8, 2500.9, 2500.10, 2500.11, 2500.23, 2505.10, 2505.11, 2510.4, 2510.5, 2510.6, 2510.7, 2510.56, 2510.58, 2522.2, 2530.4, 2530.102, 2530.103, 2530.104, 2530.107, 2530.112, 2533.1, 2534.6, 2534.8, 2540.1, 2540.2, 2540.3, 2540.4, 2560.2, 2561.1, 2561.3, 2561.31, 2561.32, 2563.23, 2563.33; Article 77, Section 2565.3; Sections 2568.8, 2568.15, 2569.1, 2569.6, 2569.7, 2569.20, 2569.51; Article 80, Sections 2571.1 and 2571.16. REPEAL: 2340.23, 2350.11, 2390.83, 2395.7, 2395.33, 2395.43, 2395.50, 2480.8, 2522.8 and 2561.50.
05/01/08	AMEND: 80440, 80443	
04/21/08	ADOPT: 18134	
04/21/08	ADOPT: 18134	
03/03/08	ADOPT: 9510.5, 9512, 9513, 9514, 9525 AMEND: 9510, 9511, 9515, 9516, 9517, 9518, 9519, 9521, 9522, 9523, 9524, 9527, 9528, 9529, 9530 REPEAL: 9517.1, 9520	
02/28/08	ADOPT: 11969.10, 11969.11 AMEND: 11969.1, 11969.2, 11969.3, 11969.4, 11969.6, 11969.7, 11969.8, 11969.9	
02/25/08	AMEND: 41301	
02/22/08	AMEND: 3051.16, 3065	
12/20/07	ADOPT: 1202 AMEND: 1200, 1204, 1204.5, 1205, 1207, 1207.1, 1207.2, 1207.5, 1209, 1210, 1211, 1211.5, 1215, 1215.5, 1216, 1217, 1218, 1219, 1225	
Title 8		
05/05/08	ADOPT: 2340.2, 2340.5, 2340.8, 2340.10, 2340.12, 2340.14; Article 6, Sections 2360.1 through 2360.5; Sections 2375.7, 2375.25, 2380.1, 2390.10, 2390.20, Article 12, Sections 2400.1, 2400.2; Sections 2418.2, 2418.3, 2418.4, 2418.5, 2418.6, 2420.4, 2420.5, 2420.6, 2420.7, 2473.1, 2473.2, 2480.5, 2480.9, 2484.5, 2484.6; Article 48.1, Sections 2485.1, 2485.2; Sections 2505.2, 2510.8, 2522.20, 2530.120, 2530.121; Article 58.1, Section 2535.1; Sections 2540.11, 2540.11 Figure S-1, 2560.3; Article 74.1, Sections 2562.1 through 2562.7; Article 77.1, Sections 2566.1 through 2566.3; Article 77.2, Sections 2567.1 through 2567.3; Sections 2569.5, 2571.9, 2571.30; Article 83, Sections 2583.1 through 2583.8; Article 84, Sections 2584.1 through 2584.8; Article 85, Sections 2585.1 through 2585.3; Article 86, Sections 2586.1 through 2586.4; Article 87, Sections 2587.1 through 2587.5; Article 88, Sections 2588.1 through 2588.3; Article 89, Sections 2589.1 and 2589.2. AMEND: 2300, 2305.2, 2305.4, 2340.9, 2340.11, 2340.13, 2340.16, Table 2340.16, 2340.17, 2340.18, 2340.21, 2340.22; Article 5, Section 2350.2; Sections 2375.1, 2375.18, Table 2375.18, Sections 2375.19, 2390.1, 2390.24, 2390.41, 2390.81, 2395.3, 2395.5, 2395.6, 2395.23, 2395.25, 2395.32, 2395.42,	
04/11/08	AMEND: 7016(c)	
04/07/08	AMEND: 10116, 10116.1, 10117.1, 10118.1, 10119, 10120, 10121, 10136, 10137, 10225, 10225.1, 10225.2	
04/01/08	ADOPT: 3140, 3141, 3141.1, 3141.2, 3141.3, 3141.4, 3141.5, 3141.6, 3141.7, 3141.8, 3141.9, 3141.10, 3141.11, 3141.12, 3141.13, 3142, 3142.1, 3142.2, 3143, 3144, 3145, 3146 AMEND: 3000, 3001, 3009, 3094.2, 3120.6, 3137	
03/05/08	AMEND: 1504, 1597	
03/05/08	AMEND: 3228	
02/29/08	AMEND: 3270	
12/31/07	AMEND: 3650	
12/28/07	AMEND: 1604.24	
Title 9		
03/06/08	AMEND: 10025, 10057, 10515, 10518, 10524, 10545, 10550, 10606, 11014, 11017, 11024, 13070	
02/28/08	ADOPT: 7024.9, 7025.4, 7136.4, 7136.5, 7136.6, 7136.7, 7136.8, 7136.9, 7137, 7138, 7179.4, 7179.5 REPEAL: 7136.5	
02/13/08	ADOPT: 3100, 3200.010, 3200.020, 3200.030, 3200.040, 3200.050, 3200.060, 3200.070, 3200.080, 3200.090, 3200.100, 3200.110, 3200.120, 3200.130, 3200.140, 3200.150, 3200.160, 3200.170, 3200.180, 3200.190, 3200.210, 3200.220, 3200.225, 3200.230, 3200.240, 3200.250, 3200.260, 3200.270, 3200.280, 3200.300, 3200.310, 3300, 3310, 3315, 3320, 3350, 3360, 3400, 3410, 3500, 3505, 3510, 3520, 3530, 3530.10, 3530.20, 3530.30,	

3530.40, 3540, 3610, 3615, 3620,
3620.05, 3620.10, 3630, 3640, 3650
REPEAL: 3100, 3200.000, 3200.010,
3200.020, 3200.030, 3200.040,
3200.050, 3200.060, 3200.070,
3200.080, 3200.090, 3200.100,
3200.110, 3200.120, 3200.130,
3200.140, 3200.150, 3200.160, 3310,
3400, 3405, 3410, 3415

Title 10

04/30/08 AMEND: 2697.6, 2697.61
04/29/08 ADOPT: 10.19900, 10.19901
04/28/08 AMEND: 310.111
03/27/08 AMEND: 2699.6500, 2699.6805,
2699.6803
03/20/08 AMEND: 1950.314.8
03/18/08 AMEND: 2498.6
03/12/08 ADOPT: 2699.402 AMEND: 2699.100,
2699.205, 2699.6600, 2699.6607,
2699.6608, 2699.6613, 2699.6625,
2699.6629, 2699.6813
03/06/08 AMEND: 260.241, 260.241.2 REPEAL:
260.218.5, 260.241.1
02/22/08 ADOPT: 2695.20, 2695.21, 2695.22,
2695.23, 2695.24, 2695.25, 2695.26,
2695.27, 2695.28
02/14/08 ADOPT: 2790.8, 2790.9
02/11/08 AMEND: 5101
01/14/08 ADOPT: 2844 AMEND: 2840, 2842
01/08/08 ADOPT: 2240.5 AMEND: 2240, 2240.1,
2240.2, 2240.3, 2240.4
12/27/07 ADOPT: 1436, 1950.314.8
12/19/07 AMEND: 2698.82(b), 2698.84, 2698.87,
2698.89.1

Title 11

04/14/08 AMEND: 1081
02/29/08 AMEND: 1009, 1070, 1071, 1082, 1083
01/16/08 REPEAL: 1305
12/19/07 ADOPT: 2021

Title 13

05/01/08 AMEND: 1
04/28/08 AMEND: 120.00, 120.01, 120.02,
124.93, 124.95 REPEAL: 120.04
04/10/08 AMEND: 1202.1, 1202.2, 1232
04/07/08 AMEND: 2451, 2452, 2453, 2458, 2461
03/07/08 AMEND: 345.02, 345.06, 345.21,
345.22
03/04/08 AMEND: 2485
02/08/08 AMEND: 621, 691, 693, 699
02/01/08 ADOPT: 1300, 1400, 1401, 1402, 1403,
1404, 1405 REPEAL: 1300, 1301, 1302,
1303, 1304, 1304.1, 1305, 1310, 1311,
1312, 1313, 1314, 1315, 1320, 1321,
1322, 1323, 1324, 1325, 1330, 1331,

1332, 1333, 1334, 1335, 1336, 1337,
1338, 1339, 1339.1, 1339.2, 1339.3,
1339.4, 1339.5, 1339.6, 1340, 1341,
1342, 1343, 1344, 1350, 1351, 1352,
1353, 1354, 1355, 1356, 1360, 1361,
1362, 1363, 1364, 1365, 1366, 1370,
1371, 1372, 1373, 1374, 1375, 1400,
1401, 1402, 1403, 1404, 1405, 1406,
1410, 1411, 1412, 1413, 1414, 1415,
1416, 1417, 1418, 1420, 1421, 1422,
1423, 1424, 1425 and Article 15 text.

Title 14

05/09/08 AMEND: 27.20, 27.25, 27.30, 28.26,
28.27, 28.28, 28.29, 28.48, 28.49, 28.51,
28.52, 28.53, 28.54, 28.55, 28.56, 28.57,
28.58
05/02/08 AMEND: 825.05
04/28/08 ADOPT: 17987, 17987.1, 17987.2,
17987.3, 17987.4, 17987.5
04/28/08 AMEND: 815.05
04/25/08 AMEND: 17210.2, 17210.4, 17855.2,
17862, 17867
04/07/08 AMEND: 228(b)(1)
04/04/08 AMEND: 27.80
03/26/08 AMEND: 630
03/14/08 ADOPT: 13255.1 AMEND: 13055,
13111, 13169, 13255.0, 13255.1,
13255.2, 13576
03/14/08 ADOPT: 5.79, 5.88, 29.16, 29.91
AMEND: 1.74, 5.80, 5.81, 5.87, 27.90,
27.91, 27.92, 29.15, 29.90, 701
03/13/08 AMEND: 671
03/10/08 ADOPT: 18218, 18218.1, 18218.2,
18218.3, 18218.4, 18218.5, 18218.6,
18218.7, 18218.8, 18218.9
02/28/08 AMEND: 17211.1, 17211.4, 17211.7,
17211.9
02/28/08 ADOPT: 749.3
02/19/08 AMEND: 7.50
02/13/08 ADOPT: 704
02/11/08 ADOPT: 787.0, 787.1, 787.2, 787.3,
787.4, 787.5, 787.6, 787.7, 787.8, 787.9
01/29/08 ADOPT: 25202, 25203, 25204, 25205,
25206, 25207, 25208, 25209, 25210,
25211
01/28/08 ADOPT: 17987, 17987.1, 17987.2,
17987.3, 17987.4, 17987.5
01/17/08 AMEND: 890
01/10/08 AMEND: 1670
01/08/08 AMEND: 251.3
01/04/08 ADOPT: 11970 AMEND: 11900
12/28/07 AMEND: 1280
12/27/07 AMEND: 2.25, 2.30, 5.75, 5.86, 5.93,
5.95, 6.37, 7.50, 8.00, 670.5

12/26/07 ADOPT: 2990, 2995, 2997 AMEND:
2125,2518
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